URBAN/MUNICIPAL

CA4 ON HBL A05
M21
1998

MINUTES
COMMITTEE OF HAMILTON
CITY COUNCIL

Jan. 7, 1998 ...

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Committee of the Whole\Hamilton City Council
Wednesday, 1998 January 7
5:30 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Charters, Jackson, Anderson, Kelly, O'Sullivan.

Absent: Alderman R. Corsini - vacation
Alderman G. Copps - vacation
Alderman F. Eisenberger - other business
Alderman C. Collins - city business
Alderman F. D'Amico - vacation

URBAN MUNICIPAL
JAN 22 1998
GOVERNMENT DOCUMENTS

Mayor R. M. Morrow called the meeting to order.

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Charters, Jackson, Anderson, Kelly, O'Sullivan. 12.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - SECOND REPORT

Provincial Downloading

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REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SECOND** Report for 1998 and respectfully recommends:

1. That the City of Hamilton go on record as opposing the current Provincial plans to download responsibilities to municipalities as those plans are not revenue neutral to the City of Hamilton and further that Mayor R. Morrow be authorized to convey the City of Hamilton's position in this regard, in the strongest possible terms, the Premier of Ontario, all Members of Cabinet and all Local Area M.P.P.'s.

2. That in order to offset the additional costs to the City of Hamilton, the following alternatives be presented to the Province for consideration:

   (a) That the Provincial Government not proceed with plans to download social housing on municipalities; or alternatively,

   (b) That the Provincial Government adjust educational tax rates within the City to offset the additional municipal costs.

3. That all Local M.P.P.'s be invited to attend a special meeting with Hamilton City Council to review and discuss the issue of Provincial downloading and the financial implications on the City of Hamilton and it's taxpayers.

4. That the City of Hamilton endorse and encourage the Regional Initiative to collaborate on municipal services and cost saving measures and that the city authorize the Chief Administrative Officer and staff to provide all required information to the Regional Chief Administrative Officer, and further that the City request the Regional Sub-Committee meet with City Council in order that input may be provided.

5. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-002 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz
Secretary

1998 January 7

URBAN/MUNICIPAL
CAN ON HBL A05
M21
1993

Minutes of Hamilton City Council
Tuesday, 1998 January 20
5:50 o'clock p.m.
Room 233, City Hall

URBAN MUNICIPAL
FEB 15 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Mayor R. M. Morrow - civic business

Acting Mayor Caplan called the meeting to order.

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It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, be considered in Committee of the Whole with Acting Mayor Caplan in the chair.

Recorded vote.

YEAS: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - SECOND REPORT

Relocation of offices from the 1st floor of City Hall

Section 1 Re: Relocation of offices from the first floor of City Hall

Recorded vote.

YEAS: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 6:00 o'clock p.m.

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Taken as read and approved.

ACTING MAYOR M. CAPLAN

J. J. Schatz
1998 January 20
JJS/dg

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. (a) That as a result of City Council approval to make space available on the first floor of City Hall as of 1998 April, for the Regional Chairman, Regional C.A.O. and Regional Clerk's Department, the following City Departments will be temporarily relocated as follows:

(i) The Information Systems Department will relocate its staff (13) from the south west corridor of the first floor at City Hall to various City/Regional locations in the downtown; and,

(ii) The Public Works and Traffic Department's First Attendance Facility will relocate its staff (13) to the space vacated by the Systems Department on the first floor of City Hall; and,

(iii) The Public Works and Traffic Department's School Crossing Guards section located on the Mezzanine Level will relocate its staff (5) to the space vacated by the Systems Department on the first floor at City Hall; and,

(iv) The Building Department's Project Management and Field Services Sections will relocate its staff (5) to the Mezzanine; and,

(v) The Municipal Non-Profit and Loans Division will relocate its staff (6) to 25 Main Street West, 15th Floor with rent being paid from the operations budget of the Municipal Non-Profit Housing Corporation; and,

(vi) The City Clerk's Department's Real Estate Division will relocate its staff (11) to the third floor of Hamilton Place with no rent payable; and,

(vii) The Culture & Recreation Department will relocate one staff to the fifth floor at City Hall; and,

(b) That the City set aside a sum up to $40,000 in order to cover the costs of demolishing the demising walls for the Region's space on the first floor of City Hall; and,

(c) That the City Treasurer recommend the method of funding to cover the $120,000 in estimated costs made up of $40,000 to cover costs of demolishing the demising walls and $80,000 to cover the costs of relocating the aforesaid departments.

Recorded vote.

YEAS: Acting Mayor Caplan, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

2. (a) That financing of temporary relocation of Civic Departments be provided by a capital project being established in relation to the relocation of staff at an estimated amount of $120,000 to be financed from the Reserve for Contingency, Account Centre No. CH 00115; and,

(b) That the Reserve for Contingency be reimbursed, up to the amount disbursed, from the rent recoverable from the Region in relation to the space available for the Regional Chairman, Regional C.A.O. and Regional Clerk's Department.

3. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-6 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder, Secretary
1998 January 20

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

URBAN MUNICIPAL

FEB 11 1998

GOVERNMENT DOCUMENTS

Minutes of Hamilton City Council
Tuesday, 1998 January 27
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, O'Sullivan.

Absent: Alderman D'Amico - Illness

Mayor Morrow called the meeting to order.

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The National Anthem was played.

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Archdeacon Richard J. Berryman led Council in prayer.

PRESENTATIONS

Mayor Morrow presented the Fire Services Exemplary Service Medal to Archdeacon Richard J. Berryman.

Mayor Morrow presented gold rings to former Aldermen Vince Agro, Don Drury, Henry Merling and Don Ross.

Certificates of Recognition respecting the "1997 Ambassador Program" were presented by Mayor Morrow to the following: Julia Claus, John Deal, Mary Dunford, Paul H. Kennedy, Kathleen A. Kirkham, Lindsay Sleightholm, and Katherine Wigmore.

ADOPTION OF MINUTES

The minutes of the meetings held 1997 December 11, 1998 January 7 and January 20 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1998 January 12 from Bob Swenor, President, Hamilton and District Chamber of Commerce respecting Beer and Liquor Stores open on Sundays.

   Referred to the Committee of the Whole

2. Application dated 1997 December 15 from Peter Dalle Vedove, 194 Lottridge Street, Hamilton for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for 184 Lottridge Street, Hamilton, Ontario.

   Received.

3. Application dated 1997 December 17 from Casimar Banas, 233-235 Locke Street North, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District for property at 233-235 Locke Street North, Hamilton, Ontario.

   Received.

4. Application dated 1998 January 15 from Alec Anastasiou, 861 Upper Paradise Road, Hamilton, Ontario for a modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District to permit an office building and medical practice for 867 Upper Paradise, Hamilton, Ontario.

   Received.

5. Application dated 1998 January 20 from Visplar Holdings Inc., and Anthony and Jo-Ann Mary Notto-Campanella for changes from "AA" (Agriculture) to "C" (Urban Protected, Residential, etc.), "R-4" (Small Lot Single Family Dwellings) District and "RT-20" (Townhouse-Maisonette) District and for 51 single detached dwellings, 30 semi-detached dwelling units and 14 condominium townhouse units for lands located at 1016, 1062 and 1088 Upper Paradise Road, Hamilton, Ontario.

Received.

6. Letter dated 1998 January 7 from the Hamilton Harbour Commissioners respecting "CleanSoils".

Referred to Transport and Environment Committee.

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole, be now considered in Committee of the Whole with Alderman Eisenberger in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT

Section 79 of the First Report Re: All Way Stop Control - Locke and Florence Street

It was moved by Alderman Collins and seconded by Alderman Wilson that Section 79 of the First Report of the Transport and Environment Committee for 1998 respecting an all way stop control regulation at the intersection of Locke Street North and Florence Street, be reconsidered. **CARRIED.**

It was moved by Alderman Collins and seconded by Alderman Wilson that Section 79 of the First Report of the Transport and Environment Committee for 1998 be referred back to the Transport and Environment Committee.

(a) That all-way stop control be implemented at the intersection of Locke Street North and Florence Street, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That staff be requested to report back in six months time on this issue or immediately if problems are encountered due to this intersection control." **CARRIED.**

PARKS AND RECREATION COMMITTEE - SECOND REPORT

Section 3 Re: Sale of alcoholic beverages - Brian Timmis Stadium or Ivor Wynne Stadium.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, O'Sullivan. -15

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 15 Re: Culture and Recreation Facilites and Buildings Strategic Direction

It was moved by Alderman Morelli and seconded by Alderman Kiss that Section 15 of the Second Report of the Parks and Recreation Committee for 1998, which reads as follows, be deleted in its entirety.

15. That Council endorse the Strategic Direction New Capital and Capital Maintenance projects for Culture and Recreation buildings and facilities as described in Appendix "B", attached hereto. **CARRIED.**

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Section 16 Re: Establishment of Task Force to Determine Merits of Leash Free Areas

It was moved by Alderman Corsini and seconded by Alderman Horwath that Section 16 of the Second Report of the Parks and Recreation Committee for 1998 be amended by adding the "Board of Education" to the list of Task Force representatives identified in sub-section (a).

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - SECOND REPORT

FINANCE & ADMINISTRATION COMMITTEE - THIRD REPORT

Section 2 Re: Establishment of Charitable Casinos

It was moved by Alderman Wilson and seconded by Alderman Collins that Section 2 of the Third Report of the Finance and Administration be amended by adding the following:

(c) That staff prepare a by-law prohibiting the installation of electronic gaming machines in Hamilton; and

(d) That this by-law be presented to the next Finance and Administration Committee meeting.

CARRIED.

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Section 2(a)(b) Re: Establishment of Charitable Casinos

Recorded vote.

YEAS: Aldermen Kiss, Horwath, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, O'Sullivan. -10.

NAYS: Mayor Morrow, Aldermen Caplan, Corsini, Morelli, Haining, Kelly. -6.

CARRIED.

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Section 2(c)(d) Re: Electronic Gaming Machines

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -15.

NAYS: Mayor Morrow. -1. **CARRIED.**

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Section 22 Re: Strategic Direction for New Capital and Capital Maintenance Projects

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 22 of the Third Report for 1998 of the Finance and Administration Committee be amended by deleting the word "not" in the second line and replacing it with the words "including those" in lieu thereof. **CARRIED.**

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Section 34 Re: Acquisition of Vacant Land re Extension of Elmore Drive

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, O'Sullivan. -14.

NAYS: Aldermen Copps, Kelly. -2. **CARRIED.**

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Section 36 Re: By-law to Enact an Interim Tax Levy

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following Bill be added as sub-section (c) of Section 36 of the Third Report for 1998 of the Finance and Administration Committee:

(c) D-9 A By-law to enact an Interim Tax Levy. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FOURTH REPORT

NOMINATING COMMITTEE - SECOND REPORT

COMMITTEE OF THE WHOLE - THIRD REPORT

ACTING MAYOR FOR THE MONTH OF FEBRUARY, 1998

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman A. Horwath be appointed Acting Mayor for the month of February, 1998. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:35 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 January 27

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. That City Council enact the by-law to authorize the assumption of a one metre portion of the unassumed lane which extends between Beulah Avenue and Miles Court and to close such assumed portion of lane to vehicular traffic.

2. That the existing "Alternate Side Parking" regulation on Belview Avenue, between King Street East and Dunsmure Road, be replaced with a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the west side and a "No Parking" regulation on the east side of the street and that the City Traffic By-law No. 89-72 be amended accordingly.

3. That the existing "Permit Parking" regulation on the south side of Charlton Avenue West commencing at a point 150 feet east of Kent Street and extending to a point 18 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

4. That Aberdeen Avenue between Queen Street South and Hess Street South be removed from the "through street" system such that overnight parking will be allowed, and that the City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That a "Permit Parking" regulation be implemented on the west side of Paling Avenue commencing at a point 705 feet south of Barton Street East and extending to a point 20 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. James Harvey, No. 275 Paling Avenue.

6. That the existing "Permit Parking" regulation on the east side of East 21st Street commencing at a point 238 feet south of Concession Street and extending to a point 22 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

7. (a) That a "Permit Parking" regulation be implemented on the east side of Inchbury Street commencing at a point 113 feet north of Florence Street and extending to a point 16 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. John Moores, No. 10 Inchbury Street.

8. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Holmes Avenue between Leland Street and Emerson Street, and that the City Traffic By-law No. 89-72 be amended accordingly.

9. That the existing "Alternate Side Parking" regulation on Clinton Street between Ruth Street and Barnesdale Avenue North be replaced with a "No Parking" regulation on the north side and unrestricted parking on the south side, and that the City Traffic By-law No. 89-72 be amended accordingly.

10. That a "No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the west side of Wexford Avenue South from Central Avenue to Monterey Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.

11. That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of East 22nd Street commencing at a point 142 feet south of Concession Street and extending 297 feet southerly therefrom and on the east side of East 22nd Street commencing at a point 143 feet south of Concession Street and extending 294 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

12. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Sanders Boulevard between West Park Avenue and Westbourne Road and on the north side of Sanders Boulevard between West Park Avenue and Daleview Court, and that the City Traffic By-law No. 89-72 be amended accordingly.

13. That a "One Hour Parking Time Limit, 24 hours a day, Monday-Friday" regulation be implemented on the east side of Pearl Street South between Hunter Street West and Bold Street, and that the City Traffic By-law No. 89-72 be amended accordingly.

14. That a "No Parking" regulation be implemented on the north side of Ofield Road commencing at Ewen Road and extending to a point 181 feet westerly therefrom and on the south side of Ofield Road commencing at Ewen Road and extending to a point 98 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

15. That the existing three-way stop control at the intersection of Coral Drive and Fielding Crescent be retained on a permanent basis.

16. That northbound traffic on Roland Road be required to stop for eastbound and westbound traffic on Regent Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.

17. That eastbound and westbound traffic on Eagleglen Way be required to stop for northbound and southbound traffic on Upper Paradise Road, and that the City Traffic By-law No. 89-72 be amended accordingly.

18. That a "No U-Turn" sign be erected for westbound traffic on Southampton Drive at Grandoaks Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.

19. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services for the following subdivisions:

"Domvir Estates - Phase 1, Hamilton

City's share -NIL-, Owner's share $ 23,054.35

"Wisemount Estates - Phase 10, Hamilton

City's share -NIL-, Owner's share $ 91,081.64

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of Domvir Estates - Phase 1", Hamilton and "Wisemount Estates -Phase 10", Hamilton as well as and any other related documents for these Subdivisions subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,

(d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered the owner should be allowed to do so at their own risk provided that the owner enters into a standard agreement with the City of Hamilton for pre-servicing.

20. (a) (i) That the lands forming the east/west alley south side of 73 East 19th Street from East 19th Street to Upper Wentworth and the north/south alley northerly to the north limit of 57 East 19th Street, designated as Parts 1 through 18, on Plan 62R-13947, be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049; and,

(ii) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law; and,

(b) (i) That the 16 Offers to Purchase (Highway Closure) documents for the subject alleys, designated as Parts 1 through 18, on Plan 62R-13947 which are set out on the pages attached herewith and marked Appendix "A" for the price of $2 for each of the 16 sales, executed by the entitled abutting owners, be accepted. The said transactions are all scheduled to close on 1998 March 13. Funds derived from this sale be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,

(ii) That the City Solicitor be authorized and directed to prepare the necessary transfer documents; and,

(iii) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(1) satisfactory notice has been given to the public of the intended sale; and,

(2) no appraisal of fair market value of the real property intended to be sold has been obtained as Highway(Public Alleyway) Closures and Sales are exempt from the appraisal requirement of Section 193 of the Municipal Act; and,

(c) (i) That the Commissioner of Transportation be directed to prepare a by-law for the sale of the closed alleyways to the abutting owners; and,

(ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.

21. (a) That the Commissioner of Transportation be authorized on an interim basis to proceed with the calling of tenders for the following projects in relation to the 1998 Road and Sidewalk Capital Improvement Programme in an amount not to exceed $3,000,000 prior to the final Capital Budget approval:

(i) Ferguson Avenue between King and King William

(ii) West 32nd Street between Scenic and Sanatorium

(iii) West 33rd Street between Scenic and Sanatorium

(iv) Hot-in-place asphalt recycling at various locations; and,

(b) That the Commissioner of Public Works and Traffic and the Commissioner of Transportation be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received.

22. That the following additional City initiatives be approved to maximize on-street parking and to improve overall parking conditions in the downtown area:

(a) That parking meters be installed on the following City streets:

(i) west side of Walnut Street from King to Main Streets (3 hour duration); and,

(ii) south side of Jackson Street from James to MacNab Streets (3 hour duration); and,

(iii) north side of Jackson Street from MacNab Street to the City Hall (3 hour duration); and,

(iv) east side of MacNab Street south of Vine Street (1 hour duration); and,

(v) both sides of Vine Street from MacNab to James Streets (1 hour duration); and,

(vii) west side of Park Street south of Vine Street (1 hour duration); and,

(b) That the following full-time regulations (ie. loading zones) be converted to part-time regulations to allow free parking to occur during evening hours and on Sundays:

(i) That the existing full-time "No Parking - Loading Only" regulation on the south side of Rebecca Street commencing at a point 75 feet east of James Street North and extending to a point 23 feet easterly therefrom be revised such that it is in effect from 8:00 a.m. to 6:00 p.m., Monday to Saturday; and,

(ii) That the existing full-time "Commercial Vehicle Loading Zone" on the north side of Jackson Street East commencing at a point 30 feet west of Walnut Street and extending to a point 70 feet westerly therefrom be revised, such that it is in effect from 7:00 a.m. to 6:00 p.m., Monday to Saturday; and,

(iii) That the existing "No Stopping, 4:00 p.m. to 9:00 a.m., 7 days a week" regulation on the west side of Hughson Street North between King Street East and Main Street East be replaced with a "No Stopping, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Saturday" regulation; and,

(c) That the City Traffic By-law be amended to reflect the following minor adjustments to the various parking/loading regulations which were required upon the installation of the 200 new parking meters in the downtown in July 1997:

(i) That a full-time "Wheelchair Loading Zone" be implemented on the north side of King William Street commencing at a point 97 feet west of the west curb line of Walnut Street and extending to a point 44 feet westerly therefrom; and,

(ii) That a "No Parking" regulation be implemented on the east side of Mary Street commencing at a point 166 feet north of King Street and extending to a point 62 feet northerly therefrom; and,

(iii) That the existing full-time "Commercial Vehicle Loading Zone" on the north side of King William Street commencing at a point 26 feet west of Wellington Street and extending to a point 50 feet westerly therefrom be deleted and replaced with a "No Parking" regulation commencing at a point 63 feet west of Wellington Street and extending to a point 24 feet westerly therefrom; and,

(d) That no further action be taken on the request of the Downtown Hamilton Business Improvement Area to implement a two hour parking duration on all on-street parking meters in the downtown area; and,

(e) That City staff actively participate with the International Village and Downtown Hamilton BIAs to promote and advertise the recent parking initiatives/improvements for the downtown area; and,

(f) That the City Traffic By-law No. 89-72 be amended accordingly.

23. (a) That a School Crossing Guard be assigned to the intersection of Blake Street and Maplewood Avenue during the morning and evening school crossing periods only, on a permanent basis; and,

(b) That consideration be given in the 1998 Current Budget deliberations for an expansion package of approximately $4,000, plus administrative costs, for a School Crossing Guard at this location on a permanent basis.

24. (a) That the existing hours of the School Crossing Guard at the intersection of Cannon Street East and Lottridge Street be extended to include the lunch time school crossing periods up until the approval of the 1998 Departmental Budget; and,

(b) That said assignment be subject to the approval of an expansion package totalling approximately $2,500, plus administrative costs, which will be presented during the 1998 current budget deliberations.

25. (a) That the action of the Commissioner of Public Works and Traffic in temporarily assigning a School Crossing Guard to the intersection of Beryl Avenue and Birchview Drive during the morning and evening school crossing periods be confirmed; and,

(b) That the temporary School Crossing Guard be removed at the end of the 1997-1998 school year pending confirmation that there is a reduction in the traffic volumes on Beryl Street/Birchview Drive.

26. That all-way stop control regulation be implemented at the intersection of Herkimer and Kent Streets and that the City Traffic By-law No. 89-72 be amended accordingly.

27. That City Council acknowledge the generous contribution made by Philip Services Inc. in providing all required transportation of the firewood the City of Hamilton was able to provide to the residents of Eastern Ontario and Quebec in the wake of the recent ice storms these areas experienced.

28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-11 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

(b) A-12 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson
Secretary

1998 January 19

Appendix "A" as referred to in Section 20 of the Second Report of the Transport and Environment Committee for 1998

No.	Abutting Owner	Description
1.	G. McDuffee and D. McDuffee	Part 17 on Plan 62R-13947 Comprising an area of 16.26 square metres (175.03 square metres), more or less
2.	T. Shaw	Part 16 on Plan 62R-13947 Comprising an area of 22.77 square metres (245.1 square metres), more or less
3.	C. Goritsas and T. Lindsay	Part 3 on Plan 62R-13947 Comprising an area of 91.36 square metres (983.4 square feet), more or less
4.	G. Facciuolo and I. Facciuolo	Part 7 on Plan 62R-13947 Comprising an area of 26.0 square metres (279.8 square feet), more or less
5.	D. Avolio and P. Avolio	Part 6 on Plan 62R-13947 Comprising an area of 26.0 square metres (279.8 square feet), more or less
6.	W. Wojcik, J. Wojcik and B. Wojcik	Part 9 on Plan 62R-13947 Comprising an area of 39.0 square metres (419.8 square feet), more or less
7.	D. Piotrowski	Part 14 on Plan 62R-13947 Comprising an area of 16.20 square metres (174.38 square feet), more or less
8.	R. Hussey and K. Deiter	Part 15 on Plan 62R-13947 Comprising an area of 19.57 square metres (210.66 square feet), more or less
9.	J. McIlwee and A. McIlwee	Parts 4 and 5 on Plan 62R-13947 Comprising an area 112.1 square metres (1,206.6 square feet), more or less
10.	N. D. Hunt, S. Junkin and A. Hunt	Part 13 on Plan 62R-13947 Comprising and area of 29.27 square metres (315.07 square feet), more or less
11.	T. Vasilevski and M. Vasilevski	Part 11 on Plan 62R-13947 Comprising an area of 15.90 square metres (171.15 square feet), more or less
12.	D. McVittie and M. Bremer	Part 8 on Plan 62R-13947 Comprising an area 27.31 square metres (293.97 square feet), more or less
13.	C. Mancini	Part 12 on Plan 62R-13947 Comprising an area of 29.27 square metres (315.07 square feet), more or less
14.	M. McDuffee	Part 1 and 18 on Plan 62R-13947 Comprising an area of 116.71 square metres (1,256.29 square feet), more or less
15.	P. Redmond and N. Redmond	Part 10 on Plan 62R-13947 Comprising an area of 19.50 square metres (209.9 square feet), more or less
16.	G. Kruk	Part 2 on Plan 62R-13947 Comprising an area of 97.52 square metres (1,049.73 square feet), more or less

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. That the Director of Culture and Recreation be authorized to waive greens fees in order to host the 2001 OGA Amateur Championship at King's Forest Golf Course 2001 July 3 to July 7.

2. That the Director of Culture and Recreation be authorized to waive greens fees in order to host the annual Hamilton Senior Games Tournament at Chedoke-Martin Golf Course, 1998 May 14 with a rain date of 1998 May 21.

3. That approval, as required by Parks By-law No. 95-126, as amended, Section 11, and under the Standard Terms and conditions of the Special Events Guidelines, be given to the Hamilton Tiger Cat Football Club (1097694 Ontario Limited) to hold a beer garden as part of a pre-game party in the east end of Brian Timmis Stadium or in the west end zone area of Ivor Wynne Stadium, on the following dates:

   Wednesday 1998 June 24

   Wednesday 1998 July 8

   Thursday 1998 July 30

   Thursday 1998 August 13

   Thursday 1998 August 27

   Monday 1998 September 7

   Sunday 1998 September 20

   Sunday 1998 October 4

Sunday 1998 October 11

Sunday 1998 November 1

Sunday 1998 November 8

Sunday 1998 November 15

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, O'Sullivan. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

4. (a) That Section 8 of the Tenth Report of the Parks and Recreation Committee for 1997, adopted by City Council on 1997 October 28, awarding the Engine Restoration Project contract, be amended to add the name, Spantec Constructors Ltd., to the name, UMA Engineering Ltd., as an additional party with the City herein; and,

(b) That the City Solicitor be authorized to prepare the necessary Agreement accordingly; and,

(c) That the Mayor and Clerk be authorized and directed to execute the Agreement on behalf of the City.

5. (a) That Speedy Industrial Door Repair Limited be awarded the contract for the semi-annual and annual inspection, adjustment and lubrication of manually and electrically powered rollup overhead doors as specified, at the various facilities maintained by the Building Operations and Maintenance Division of the Culture and Recreation Department as the lowest of four acceptable bids for the portion of the contract to inspect, adjust and lubricate overhead doors as specified; and,

(b) That Speedy Industrial Door Repair Limited and Larco Industrial Services Limited provide ongoing services for the repair and maintenance of overhead services for a period of three years, as the lowest of the four acceptable bids providing hourly rates for ongoing repairs and maintenance.

6. That approval be given to issue a Purchase Order to Airon HVAC & Control Ltd. of Hamilton, Ontario as the Contractor for the supply, labour, and installation of Gas Detection Monitors at eight of the City's Arenas, in accordance with specifications issued through the Purchasing Division on 1997 September 23, and closed on 1997 October 20, in the amount of $96,668 plus applicable GST to a total of $103,434, as the only bid received in accordance with the Request for Proposal documents issued and with funds to be drawn from Account No. CF709741041.

7. (a) That the City of Hamilton enter into a Lease Renewal Agreement for the City owned lands at the north/west corner of Barton Street East and Sanford Avenue North (Woodlands Park) with the Ministry of Government Services for the operation of an Air Pollution Monitoring Station; and,

(b) That the term be for a period of five (5) years, commencing 1998 January 1, and expiring 2002 December 31, at a rental rate of $25 per year plus taxes, and proceeds be credited to Account No. CH44104 31106 (Rental Civic Property-Civic Properties Rented); and,

(c) That the Mayor and City Clerk be authorized and directed to execute a Lease Renewal Agreement in a form satisfactory to the City Solicitor.

8. That the Director of the Department of Culture and Recreation be authorized to apply for a federal grant from the Museum Assistance Program, Department of Canadian Heritage, to request funding assistance to retrofit the stable building at Whitehern for the purposes of a barrier-free visitor and program space.

9. (a) That the capital allocation for Huntington Park Recreation Centre Pool Environmental Control System be increased from $29,168 to $60,000; and,

(b) That the Finance and Administration Committee recommend the method of financing the additional funding totalling $30,832.

10. (a) That staff be authorized to introduce a "random selection draw" procedure for swim lesson pre-registration at City Recreation Centres effective for the 1998 March session; and,

(b) That the Director of Culture and Recreation prepare a report prior to year end which outlines the results of this revised procedure.

11. (a) That Section 12 of the Eighth Report of the Parks and Recreation Committee for 1997 which was adopted by City Council at its meeting held 1997 August 26, respecting the City Zero Tolerance to Violence Policy be amended to include a mandatory two month penalty for violation of the policy; and,

(b) That the Director of Culture and Recreation be directed to investigate and report back on the feasibility of establishing a third party appeals board to review appeals from violators of the Policy; and,

(c) That the Director of Culture and Recreation be authorized to redouble efforts to communicate the existence of this Policy to the community.

12. (a) That the organizational structure and list of volunteers as outlined on the Chart attached hereto as Appendix "A", be endorsed by Council and that the Parks and Recreation Committee be authorized to continue the development of the model for the 2000 International Youth Olympics; and,

(b) That Alderman B. Morelli, Alderman T. Anderson and Alderman D. O'Sullivan be appointed to represent the City on this important sports development project; and,

(c) That the Director of Culture and Recreation be directed to provide a strategic plan for the organization of these games to the Parks and Recreation Committee at its 1998 March meeting.

13. (a) That the contract dated 1996 January 31, between the City and Patriot Enterprises (A Division of 952532 Ontario Ltd.) regarding the sale of advertising rights at Hamilton Civic Golf Courses be amended to reflect a one year extension on the due date at Chedoke Golf Courses for signage and to reduce the size of the tee signs to 5 square feet portrait style mounted on a single post; and,

(b) That the Mayor and the City Clerk be authorized to execute an amending agreement which is satisfactory to the City Solicitor.

14. (a) That a contribution in the amount of $10,000 to Parks and Recreation Ontario be authorized to assist in the presentation of their 1998 Educational Forum to be held in Hamilton from 1998 April 26 to April 29 at the Hamilton Convention Centre; and,

(b) That the Finance and Administration Committee recommend a method of financing.

15. **DELETED.**

16. (a) That for the purposes of determining the merits of leash free areas in the City of Hamilton, a task force be established and be comprised of Alderman R. Corsini and representatives from the Hamilton Academy of Veterinary Medicine, the Hamilton Society for Prevention of Cruelty to Animals, the Hamilton Sports Council, the Board of Education, and five citizens at large; and, **AMENDED.**

(b) That the City Clerk be authorized to advertise for the private sector citizen positions in order that interviews may be completed and a task force established; and,

(c) That Alderman Corsini, together with the Manager of Parks be responsible for interviews and selection of citizen members; and,

(d) That the task force investigate criteria for site selection, environmental impacts, operational rules and regulations, methods for capital cost recovery and public outreach; and,

(e) That the findings of the task force referred to in sub-section (d) be submitted to the Parks and Recreation Committee for consideration prior to the summer season.

17. (a) That pursuant to the approved plan for use of "Glen Manor - the Veever's Home", the City Clerk be authorized to finalize a lease renewal with Mr. N. M. Tomlinson, effective 1998 February 1; and,

(b) That with the exception of metered water supply costs for the period June 1 to September 30 the tenant be responsible for all utility costs, day to day personal living expenses and content insurance for any personal belongings and/or household effects brought into the residence during the lease period; and,

(c) That in lieu of payment of rental charges fixed at $1,500 per month and annual property taxes, Mr. Tomlinson will undertake to complete a project on behalf of the Department of Public Works and Traffic as detailed in the Terms of Reference attached to this report as Appendix "C"; and,

(d) That the Finance and Administration Committee be requested to recommend a method of financing the upset limit of $12,600 required to complete this project; and,

(e) That a Consultant's contract for services be entered into by the City with Mr. Tomlinson to provide the services to the City referred to in sub-section (c) above in return for the City's provision of the said rent-free accommodation; said contract to be in a form acceptable to the City Solicitor and Commissioner of Public Works and Traffic.

18. That the Commissioner of Public Works and Traffic or his designate(s) be authorized to participate directly with the Region's design team members involved in the N/S section of the Red Hill Creek Expressway and this person be considered the liaison for the City's input into the project in view of the completion of the Impact Assessment Design process by the end of April 1998.

19. (a) That By-law No. 8861 - Tariff of Charges (Cemeteries) be amended with the addition of the following interment rights.

(i) Two-Grave Lot (Hamilton Cemetery)

RESIDENT:	$ 2,920.00	$ 204.40 GST	$ 3,124.40
NON-RESIDENT:	$ 3,504.00	$ 345.28 GST	$ 3,749.28

(ii) Two-Grave Lot (Woodland Cemetery - Section 14)

RESIDENT:	$ 3,500.00	$ 245.00 GST	$ 3,745.00
NON-RESIDENT:	$ 4,200.00	$ 294.00 GST	$ 4,494.00

(iii) Three-Grave Lot (Woodland Cemetery - Section 14)

RESIDENT:	$ 4,208.00	$ 294.56 GST	$ 4,502.56
NON-RESIDENT:	$ 5,050.00	$ 353.50 GST	$ 5,403.50

(b) That the following new crypt charges for 1998 - 2000, approved by City Council on 1997 December 16, be registered with the Ministry of Consumer and Commercial Relations:

	COST	GST	TOTAL
YOUTH	$ 339.00	$ 23.73	$ 362.73
STANDARD	$ 330.00	$ 23.10	$ 353.10
INTERMEDIATE	$ 363.00	$ 25.41	$ 388.41
OVERSIDE	$ 385.00	$ 26.95	$ 411.95

(c) That the Manager of Cemeteries file these changes with the Ministry of Consumer and Commercial Relations.

20. (a) That the New Crystal Palace Sub-Committee be directed to pursue the identification of additional project partner(s) and create a business plan including capital and operating costs for the new facility, preferably located on Commonwealth Square; and,

(b) That when completed, this business plan costs and final location be submitted to the Parks and Recreation Committee for approval.

Respectfully Submitted,

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1998 January 20

Appendix "A" as referred to in Section 12 of the Second Report of the Parks and Recreation Committee for 1998

July 1–7, 2000
International Olympic Children's Festival
Host Society Organizational Chart

GAMES CABINET
Mayor Robert M. Morrow
City of Hamilton—Bernie Morelli, Terry Anderson, Ross Fair
Government of Canada—Sheila Copps, Beth Phinney
Government of Ontario—Isabel Bassett, Lillian Ross
President of the Society—John Kiriakopoulos

EXECUTIVE COMMITTEE
President—John Kiriakopoulos
Edward Dunn, Phil Sarecky,
Joanne McBride, Joel Hall

BOARD OF DIRECTORS
President—John Kiriakopoulos
All Vice Presidents
General Manager—/

STAFF RESOURCE TEAM

FACILITIES
Vice President
Les Miller
Randy Miller

SERVICES
Vice President
Catherine Miller
Edward Dunn
Tim Louks
Transportation
Herb Allan

SECURITY AND COMMUNICATION
Vice President
Debbie Clark
Bob Buck

SPORTS
Vice President
Gene Sutton

CHEF AND MISSION LIAISON
Vice President
Therese Quigley

MEDICAL SERVICES
Vice President
Dr. Julian Dobranowski
Lisa Skradski Hall
Yolanda Dobranowski

CORE SPORTS
Vice President
Athletics
Cecilia Carter-Smith
Swimming
Leslie Bardossy

ADMINISTRATION
Vice President
Phil Sarecky

FUNDRAISING EVENTS
Vice President
John Daniels
Garry McKay
Jim Beddome
Tom Jaczenko

PROTOCOL
Vice President
Peter Earle
VIP Hospitality
Joanne McBride

CEREMONIES
Vice President
Ray Johnson
Cultural Programme
Andy Skrypniak
Parade
Ed Cummings
Banquets
Herb Allan

PROMOTION AND MARKETING
Vice President
Valan Sargeant
George Patsios

FINANCE
Vice President
Jim Youldon

MEDIA
Vice President
Al Craig
Larry Schnurr

FRIENDS OF THE FESTIVAL CORP. SPONSORS
Vice President
Chester Waxman
Joel Hall
Tom Jaczenko

VOLUNTEERS
Vice President
Nancy Hewer

Appendix "C" as referred to in Section 17 of the Second Report of the Parks and Recreation Committee for 1998

CONSULTING SERVICES TO INVENTORY AND DOCUMENT SITE CONDITIONS FOR WATERCOURSES AND OPEN SPACE CORRIDORS, CITY OF HAMILTON

TERMS OF REFERENCE

I. Introduction

Within the City of Hamilton two features dominate the physical landscape, namely the Niagara Escarpment and Lake Ontario/Harbour Shoreline. Connecting one to the other is a system or network of built and relatively natural corridors in the form of watercourses, utility rights-of-way, abandoned and in-use rail lines and roads.

Recognizing the public's interest and capacity for healthy living and the natural environment, the City has been active in constructing recreational trails, capitalizing on opportunities to improve pedestrian access to the Niagara Escarpment and the water's edge. And, while work to date has been positive and certainly well received, there is undoubtedly more to be done as far as expanding the pedestrian transportation network linking together natural and facility oriented resources, residential communities, schools and destinations adjacent to and beyond City borders.

Understanding the condition of existing natural and built corridors is an important step toward proper planning and management of these resources. Using existing base mapping and data compiled from the Region's watershed planning exercise combined with field work on soil, vegetation, channel and right-of-way characteristics, etc. the project consultant will undertake to document and describe features of natural and man-made corridors within the City as well as other opportunities to accommodate trail developments and forecast remediation measures where necessary.

II. Background

City Council approved a list of recommendations in June 1995 pertaining to the Veever's Estate including a plan for the long term use of the property.

Following Council's direction, staff commenced a modest campaign in search of qualified candidate(s) for the purpose of selecting a tenant (hereafter referred to as consultant) who would occupy the estate under the terms of the approved plan. The first lease arrangement commenced February 1, 1997 and the assigned work program was successfully completed within the 1 year lease period, ending January 31, 1998.

In keeping with lease conditions, the consultant will be responsible for undertaking a work program designed to equal the value of the rent plus taxes calculated to total $24,775 for the lease period.

City of Hamilton Parks Division staff will be involved in working with the consultant toward the completion of the defined work program.

III. Objectives

1. To identify opportunities for expanding the City's network of recreational trails giving consideration to natural and built drainage systems, utility rights-of-way, escarpments and other open space corridors.

2. To establish a set of criteria for evaluating potential trail development opportunities and evaluate identified opportunities using said material.

IV. Scope of Work

Under the direction of the City of Hamilton, Parks Division, the consultant shall undertake the following work within the schedule discussed in Section V.

1. Attend an initial orientation meeting (to be arranged by staff) and in consultation with staff, prepare a time chart for undertaking the scope of work outlined in these terms of reference to be completed by January 31, 1999.

2. Working with City staff, become familiar with existing trail development program and conceptual plans for future development both within the City and bordering municipalities/agency sponsored.

3. Assemble and become familiar with relevant background material in the form of Official Plan policies (City and Region), watershed plans, waterfront Regeneration Trust Trails/Bikeways reports, Stoney Creek Trail Master Plan, RBG studies, HRCA, etc.

4. Prepare and receive staff direction on a set of criteria to be used in evaluating potential of identified areas for recreational trail development.

5. Prepare property ownership information of selected sites and recommend consultation requirements prior to field work.

6. Undertake field work, as required, to photo document and otherwise record existing site conditions for selected areas.

7. In consultation with staff, determine field conditions to be regarded as "hot spots" and potentially requiring remediation/restoration or some other form of special attention, as required.

8. Document all findings in a final report.

V. Schedule

This work program is designed to coincide with a lease arrangement between the City of Hamilton and the consultant, involving residency at 22 Veevers Drive. The lease period is for 1 year, effective February 1, 1998.

For the purpose of commencing this project, the Manager of Parks shall convene an orientation meeting involving the consultant and affected staff, said meeting to be arranged prior to February 28, 1997. At this time a work schedule will be finalized and will include a regular series of meetings for the purpose of reporting progress.

VI. Fees

There is no fee payment to accompany this project as this work program represents a unique arrangement stemming from the City's ownership and obligations relative to Glen Manor - the Veever's Home. This work program has been designed to equal the value of rent plus annual taxes for a 1 year period at 22 Veever's Drive.

RWC/mc

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Application CD-97-006, under the Rental Housing Protection Act, Emilia Fazekas, Owner, for conversion of 5 rental townhouse units to condominium townhouse for the property located at 23-25 Macauley Street West, subject to the following conditions:

(i) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit or a unit upon which the tenant and landlord mutually agree for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "A", upon the following minimum terms:

(1) the Offer will be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent by the City; and,

(2) the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the RHPA application, immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the owner; and,

(3) that the Tenants' rent will not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,

(4) that the Tenants may terminate their lease, at any time, on 60 days written notice, without penalty; and,

(ii) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, an Option to purchase their current unit or a unit upon which the tenant and landlord mutually agree, together with appurtenant interests. Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner; and,

(iii) (1) that the City send by registered mail to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,

(2) that the notice indicated in section (ii) above shall be sent immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the Owner; and,

(3) that the tenants noted in (ii) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the Option; and,

(iv) That this RHPA approval shall cease and be at an end:

(1) if the Owner has sold the land without entering into an RHPA Approval Agreement with the City and registering same on title; or,

(2) within two years from the date of Council's approval of RHPA application CD-97-006, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,

(v) That the Owner enter into a RHPA Approval Agreement with the City in a form satisfactory to the City Solicitor, incorporating the City's conditions of approval listed herein and annexed hereto as Appendices "A" and "B", and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,

(vi) In the event that the Owner proposes to sell all of the subject lands, he/she shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,

(vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the RHPA application; and,

(viii) That the Owner provide the City Solicitor with satisfactory evidence that there are no outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,

(b) That upon satisfaction of the above-noted conditions, the City Solicitor be authorized to request that the City Clerk execute the RHPA Certificate of Approval.

2. (a) That approval be given to City Initiative 97-C, for a change in zoning from "H" (Community Shopping and Commercial) District to "C" (Urban Protected Residential, etc.) District for property located at 166 Queenston Road, as shown on the attached map marked as Appendix "C", on the following basis:

(i) That the subject lands be rezoned from "H" (Community Shopping and Commercial) District to "C" (Urban Protected Residential, etc.) District; and,

(ii) That the attached By-law, which has been prepared in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 and Zoning District Map E-9D be enacted by City Council; and,

(iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. That approval be given Amended Zoning Application ZAC-97-30, 1186559 Ontario Inc. (Hai Chan Wah), owner, requesting a rezoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District (Block 1), and a modification to the "C" (Urban Protected Residential, etc.) District regulations (Block "2"), to permit the development of nine (9) single family detached dwellings, for property located at 21 Brantdale Avenue, as shown on the attached map marked as Appendix "D", on the following basis:

(a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands Blocks "1" and "2"), by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the owner submits a signed Record of Site Condition (RSC) to the Region and the Ministry of Environment and Energy (MOEE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOEE.

City Council may remove the "H" symbol, and thereby give effect to the rezoning and modified provisions as stipulated in this By-law, by enactment of amending By-law once the condition is fulfilled; and,

(b) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District; and,

(c) That the "R-4" (Small Lot Single Family Detached) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variance as a special requirement:

(i) That notwithstanding Section 9A(2)(c)(1), a minimum average lot width of 9.14 m shall be permitted; and,

(d) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:

(i) That notwithstanding Section 9(4), a minimum lot width of at least 11.43 m and a minimum lot area of 348.36 m^2 shall be permitted; and,

(e) The amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1393, and that the subject lands on Zoning District Map W-7 be notated S-1393; and,

(f) That the City Solicitor be direct to prepare a By-law to amend Zoning District Map W-7 for presentation to City Council; and,

(g) That the proposed modification in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area.

4. (a) That approval be given to Subdivision Application SAC-97-06 (Regional File No. 25T-97013), City of Hamilton, owner, to establish a draft plan of subdivision "Albion Mills Estates" for 92 lots for single-family dwellings, 1 block to be added with adjacent lands, and to construct 3 streets, for lands located north of Mud Street, east of Mount Albion Road and west of the municipal boundary, as shown on the attached map marked as Appendix "E", subject to the following conditions:

(i) That this approval apply to the plan, prepared by Regional Municipality of Hamilton-Wentworth and certified by Kin Lau, O.L.S., dated August 7, 1997, as red line revised, showing 92 lots for single detached dwellings, and 1 Block; and,

(ii) That the owner implement the preferred solution of the Montgomery Creek Stormwater Management Class Environmental Assessment to the satisfaction of the Commissioner of the Regional Environment Department; and,

(iii) That a 2.0 metre x 2.0 metre daylight triangle be established on the corner lot on all "L" shaped streets; and,

(iv) That Lots 1 to 7, inclusive not be developed until such time as the existing creek is relocated or is no longer required for drainage purposes to the satisfaction of the Commissioner of the Regional Environment Department; and,

(v) That Lots 1 to 7, inclusive, not be developed until such time as a noise feasibility study is submitted to the satisfaction of the Commissioner of Regional Environment Department and prepared by a qualified professional. The noise study is to contain an investigation of the noise levels impacting the proposed development, and the necessity for noise control measures.

Should the noise feasibility study demonstrate the potential for significant noise impacts, submission to the satisfaction of the Region of a detailed acoustical report prepared by a qualified professional, with said report containing the recommended noise control measures; and,

(vi) That a physical barrier which prevents vehicular access to the City owned lands, external to the plan, be provided, at the cost of the developer, along Kingsview Drive on or adjacent to the City owned lands. The design and the construction is to be to the satisfaction of the City Engineer; and,

(vii) That the Developer provide a 3.0 m wide granular trail between Kingsview Drive and the storm sewer outlet at Montgomery Creek. The design and construction be to the satisfaction of the Commissioner of the Public Works and Traffic Department; and,

(viii) That the roof leaders not be connected to the storm sewer; and,

(ix) That a chain link fence, minimum 1.5 in height, be provided and maintained along the rear of the Lots 8 to 21 inclusive, the westerly lot line of Lot 8 and the northerly lot line of Lot 7; and,

(x) That the final plan conform with the applicable provisions of the "B-2" (Suburban Residential, etc.) District, "C" (Urban Protected Residential, etc.) District and the "R-4" (Small Lot Single Family Dwelling) District in the City of Hamilton Zoning By-law No. 6593; and,

(xi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the Subdivision in the Final Plan; and,

(xii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under section 51 of the Planning Act; and,

(xiii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement, prior to the issuance of a final release by the City of Hamilton; and,

(xiv) That the streets be named to the satisfaction of the City of Hamilton and the Region of Hamilton-Wentworth; and,

(xv) That the lot lines of Lots 17 to 23, inclusive, and Lots 33 to 36, inclusive, be revised to the satisfaction of the Manger of Traffic Planning, Public Works and Traffic Department; and,

(xvi) That the City of Stoney Creek be requested, and agree to lifting the 0.3 m reserve on the westerly end of Kingsview Drive (Agate street) shown as Block 42 on Plan 62M-399 in order to provide street access to this subdivision through Kingsview Drive and Paramount Drive in the City of Stoney Creek; and,

(xvii) That Lots 72 to 92 inclusive not be developed until such time as Mud Street is closed to the east, realigned to the east and this section of Mud Street reverts to a local cul-de-sac roadway; and,

(xviii) That the streets be dedicated to the City of Hamilton as public highways in the final plan; and,

(xix) That the owner prepare and submit a municipal street numbering plan to the satisfaction of the Director of Planning and Development Department; and,

(xx) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,

(xxi) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:

(1) That all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,

(2) That the Owner provide an inspection report prepared by a qualified professional engineer of all erosion and sediment control measures after each rainfall to the satisfaction of the Manger of Development, Regional Environment Department; and,

(3) That any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,

(4) That all disturbed areas be revegetated with permanent cover immediately following completion of construction; and,

(xxii) That the Owner be required to enter into a subdivision agreement with the City of Hamilton prior to development of any portion of these lands; and,

(xxiii) That the owner agree to satisfy all the requirements, financial and otherwise, of the City of Hamilton prior to the development of any portion of the lands; and,

(b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the City of Hamilton with respect to this application (SAC 97-06/25T-97013), "Albion Mills Estates", proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,

(c) That the City Clerk be directed to advise the Commissioner of the Regional Environment Department of City Council's decision; and,

(d) That approval be given to City Initiative 97-D, for changes in zoning from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential, etc.) District for Block "1"; to "C" (Urban Protected Residential, etc.) District for Block "2" and "R-4" (Small Lot Single Family Dwelling) District, modified for Block "3", to permit the development of the subject lands for 71 large lot single-family dwellings (i.e. 15 m lot frontage - Block "1"); 11 single-family dwellings (i.e. 12 m lot frontage - Block "2"); and 10 small lot single-family dwellings (i.e. 10 m lot frontage - Block '3"), for lands located north of Mud Street, east of Mount Albion Road and west of the municipal boundary, as shown on the attached map marked as Appendix "F"; and,

(i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to Blocks "2" and "3" by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of the lots fronting on Mud Street until such time as Mud Street is realigned to the east and Mud Street reverts to a local cul-de-sac roadway.

Removal of the holding restriction shall be conditional upon Mud Street being realigned to the east and Mud Street reverting to a local cul-de-sac roadway. City Council may remove the 'H' symbol, thereby, giving effect to the "C" and "R-4" District provisions as stipulated in this By-law by an enactment of an amending By-law once the condition is fulfilled; and,

(ii) That Block "1" be rezoned from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "B-2" (Suburban Residential) District; and,

(iii) That Block "2" be rezoned from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "C" (Urban Protected Residential, etc.) District; and,

(iv) That Block "3" be rezoned from "A" (Conservation, Open Space, Park and Recreation, etc.) District to "R-4" (Small Lot Single-Family Dwelling) District; and,

(v) That the "R-4" (Small Lot Single Detached Dwellings, etc.) District, as contained in Section 9A of Zoning By-law No. 6593, applicable to Block "3", be modified to include the following variances as special requirements:

(1) That notwithstanding Section 9A.2.(b)1.(ii)B., in the case of a corner lot shall have a westerly side yard of not less than 3.0 m; and,

(2) That notwithstanding Section 9A.2.(c)1., the corner lot shall have a minimum frontage of 13 m and all other lots shall have a minimum lot frontage of 10 m; and,

(vi) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1394, and that Blocks "2" and "3" on Zoning District Map W-23 be notated S-1394; and,

(vii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-23, for presentation to City Council; and,

(viii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,

(ix) Upon finalization of the implementing zoning by-law, the approved Albion Falls Neighbourhood Plan be revised by changing the road pattern.

5. (a) That the Chairman and/or up to 4 designates attend the 1998 American Planning Association National Conference in Boston; and,

(b) That the Chairman or his designate attend the 1998 Canadian Institute of Planners Conference in Winnipeg; and,

(c) That cost for attendance be allocated to the Aldermen Travel Account No. CH55201-10010, from the 1998 Operating Budget.

6. (a) That 1160584 Ontario Inc. (John Howard, Allan Guitar) be issued a cheque in the amount of $4,500 on 1998 August 1, which represents the second grant installment as per the terms of the Barton Street Revitalization Program, provided that the applicant still owns the property on 1998 August 1; and,

(b) That 1160584 Ontario Inc. (John Howard, Allan Guitar) be issued a cheque in the amount of $6,000 on 1999 August 1, which represents the third and final grant installment as per the terms of the Barton Street Revitalization Program, provided that the applicant still owns the property on 1999 August 1.

7. That the Building Commissioner be authorized to issue a demolition permit for 1457 Upper Sherman Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

8. That the Building Commissioner be authorized to issue a demolition permit for 21 Arden Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

9. That a Commercial Property Improvement Loan in the amount of twelve thousand, three hundred and thirty-two dollars ($12,332) to Patricia Woolcott for improvements to 536 Concession Street be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate will be 3 per cent amortized over ten years.

10. That the City of Hamilton accept the sum of $7,200 in connection with "Domvir Estates -Phase 1", Hamilton, and $109,250 in connection with "Highridge South - Phase 3", Hamilton as the cash payments in lieu of the 5% land dedication required under Section 51 of the Planning Act.

11. That Site Plan Control By-law 79-275 as amended by By-law No. 87-223 be amended by adding 1089-1091 Barton Street East to Schedule "A".

12. (a) That the City hire an appraiser at an estimated cost of $2,500 to $3,000 to make a professional evaluation of Bellevue, the designated property at 14 Belvidere Avenue, Hamilton; and,

    (b) That the Finance and Administration Committee be requested to recommend the method of financing.

13. That Schedule "A" and "B" of By-law No. 83-71, as amended, appointing the Downtown Hamilton B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "A"
Alderman A. Horwath
Alderman R. Corsini

SCHEDULE "B"

Kim Finlay	K.D.Finlay Clothier (owner)
Al Peckham	Royal Bank (owner)
Alex Herpers	Herpers Gowling (tenant)
Ray Harris	Harris and Henderson (tenant)
Jordan Livingston	Livingston Furs (tenant)
Reg Titian	Reggie's Music and Sound (owner)
Kathy Wiegand	Right House (owner)
Bob Sorenson	Sundried Tomatoes (tenant)

Mike McNally	Jessett Investments (owner)
Gerry Attard	Ramada Hotel (tenant)
Roger Letourneau	Just Imagine Printing (tenant)
Dick Brocker	Royal Connaught Hotel (owner)
Rose Ianuzzi	CIBC (owner)
Nancy Godwin	Nancy Godwin, Barrister & Solicitor (tenant)
David Blanchard	Hughson Business Space Corporation (owner)
Dennis Lugowy	Dennis Lugowy, Chartered Accountant (tenant)

14. (a) That the 1998 operating budget for the Downtown Hamilton B.I.A., attached hereto as Appendix "G", be approved in the amount of ninety-two thousand, four hundred dollars ($92,400); and,

(b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1998 budget as referenced in (a) above; and,

(c) That the following schedule of payments for 1998 be approved:

February 01	$23,100
March 01	$23,100
June 01	$23,100
September 01	$23,100

NOTE: 1997 levy arrears will be deducted from the payment for 1998.

15. (a) That the City Solicitor prepare, and City Council approve, a By-law to expand the Barton Village Community Improvement Project Area (C.I.P.A.) in accordance with the plan attached as Appendix "H" in order to implement the Commercial Property Improvement Program and the Barton Revitalization Program to owners of commercial property within the expanded area; and,

(b) That the Planning and Development Committee convene a public meeting to receive citizen input on the expansion of the corresponding Barton Village Community Improvement Plan (C.I.P.) as required under The Planning Act, Section 28.

16. (a) That the City Solicitor prepare, and City Council approve, a By-law to expand the Downtown Hamilton B.I.A.'s Community Improvement Project Area (C.I.P.A.) in accordance with the plan attached as Appendix "I" in order to implement the Commercial Property Improvement Program to owners of commercial property within the expanded area; and,

(b) That the Planning and Development Committee convene a public meeting to receive citizen input on the expansion of the corresponding Downtown Hamilton B.I.A.'s Community Improvement Plan (C.I.P.) as required under The Planning Act, Section 28.

17. (a) That the City Solicitor Prepare, and City Council approve, a By-law to expand the Main Street West Community Improvement Project Area (C.I.P.A.) in accordance with the plan attached as Appendix "J" in order to implement the Commercial Property Improvement Program to owners of commercial property within the expanded area; and,

(b) That the Planning and Development Committee convene a public meeting to receive citizen input on the expansion of the corresponding Main Street West Community Improvement Plan (C.I.P.) as required under The Planning Act, Section 28.

18. That the Building Commissioner be authorized to issue a demolition permit for the building located at 87 - 95 Wellington Street North, subject to the following condition:

(a) That the applicant receives a building permit for a replacement building on this property within six (6) months from the date that the demolition has been issued.

19. (a) That approval be given to Subdivision Application 97-07 (Regional File 25T-97-016), 712169, Ontario Ltd. (G. Malatesta), applicant, to establish a draft plan of subdivision "Delena Extension", for lands located South of Delena Avenue and North of Central Avenue (No. 1133 Central Avenue), as shown on the attached map marked as Appendix "K", comprising of 10 lots for single detached dwellings and the future extension of Delena Avenue, subject to the following conditions:

(i) That this approval apply to the plan, prepared by A.J. Clarke and Associates Limited and certified by B.J. Clarke, O.L.S., dated November 24, 1997, showing 10 lots for single detached dwellings and the future extension of Delena Avenue, (see attached Appendix "L"); and,

(ii) That land severance applications B-97-75 and B-97-78 to 80, pending a hearing of the Ontario Municipal Board, be withdrawn; and,

(iii) That the owner submit a signed Record of Site Condition (RSC) to the satisfaction of the Region of Hamilton-Wentworth and the Ministry of Environment and Energy (MOEE) and written acknowledgement of same by the MOEE; and,

(iv) That the proposed extension of Delena Avenue shall align centreline to centreline with Taylor Avenue to the south; and,

(v) That the final plan conform with the applicable provisions of the "C" (Urban Protected Residential, etc.) District in the City of Hamilton Zoning By-law No. 6593; and,

(vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the Subdivision in the Final Plan; and,

(vii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,

(viii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement, prior to the issuance of a final release by the City of Hamilton; and,

(ix) That the proposed extension of Delena Avenue be dedicated to the City of Hamilton as a public highway in the final plan and be established and constructed to its full width; and,

(x) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,

(xi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,

(xii) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:

(1) That all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,

(2) That the owner provide an inspection report prepared by a qualified professional engineer of all erosion and sediment control measures after each rainfall to the satisfaction of the Senior Director, Roads Department; and,

(3) That any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,

(4) That all disturbed areas be revegetated with permanent cover immediately following completion of construction; and,

(xiii) That the owner be required to enter into a subdivision agreement with the City of Hamilton prior to development of any portion of these lands; and,

(xiv) That the owner agree in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton prior to the development of any portion of these lands; and,

(b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SAR-97-07/25T-97016), "Delena Extension", proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,

(c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

20. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-18 A By-law to Amend By-law No. 88-11 Respecting The Barton Village Community Improvement Project Area.

(b) C-19 A By-law to Amend By-law No. 90-270 Respecting The Main Street West Community Improvement Project Area.

(c) C-20 A By-law to Amend By-law No. 94-186 Respecting The Downtown Hamilton Community Improvement Project Area.

(d) C-21 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 780 Upper Paradise Road.

(e) C-22 A By-law to Amend By-law No. 87-308 as Amended by By-laws No. 92-079 and 97-196 Respecting Members of the Board of Management of The Barton Village Business Improvement Area.

(f) C-23 A By-law to Amend By-law No. 86-73 as Amended by By-laws No. 92-058 and 97-209 Respecting Members of the Board of Management of The Downtown Hamilton Business Improvement Area.

(g) C-24 A By-law to Amend By-law No. 86-99 as Amended by By-laws No. 92-056 and 97-176 Respecting Members of the Board of Management of The Ottawa Street North Business Improvement Area.

(h) C-25 A By-law to Amend By-law No. 92-078 as Amended by By-law No. 97-197 Respecting Members of the Board of Management of the Main Street West Esplanade Business Improvement Area.

(i) C-26 A By-law to Amend By-law No. 86-212 as Amended by By-laws No. 92-057 and 97-013 Respecting Members of the Board of Management of The International Village Business Improvement Area.

(j) C-27 A By-law to Amend By-law No. 86-98 as Amended by By-laws No. 92-074 and 97-030 Respecting Members of the Board of Management of The Westdale Business Improvement Area.

(k) C-28 A By-law to Amend By-law No. 86-144 as Amended by By-laws No. 95-047 and 96-194 Respecting Members of the Board of Management of The Concession Street Business Improvement Area.

(l) C-29 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 100 Beddoe Drive.

(m) C-30 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 1089-1091 Barton Street East.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN PLANNING AND DEVELOPMENT COMMITTEE

Stella Glover, Secretary
1998 January 21

List of Tenants at 23-25 Macauley Street West:

Charles and Jeanette Fair
Unit #1
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

Monthly Rent: $720.00

Penny Richard
Unit #2
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

Monthly Rent: $750.00

Patricia Dugas
Unit #3
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

Monthly Rent: $750.00

Gloria and Lloyd MacKenzie
Unit #4
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

Monthly Rent: $750.00

Tuyen Nguyen
Unit #1
23-25 Macauley Street West
Hamilton, Ontario
L8L 1E6

Monthly Rent: $700.00

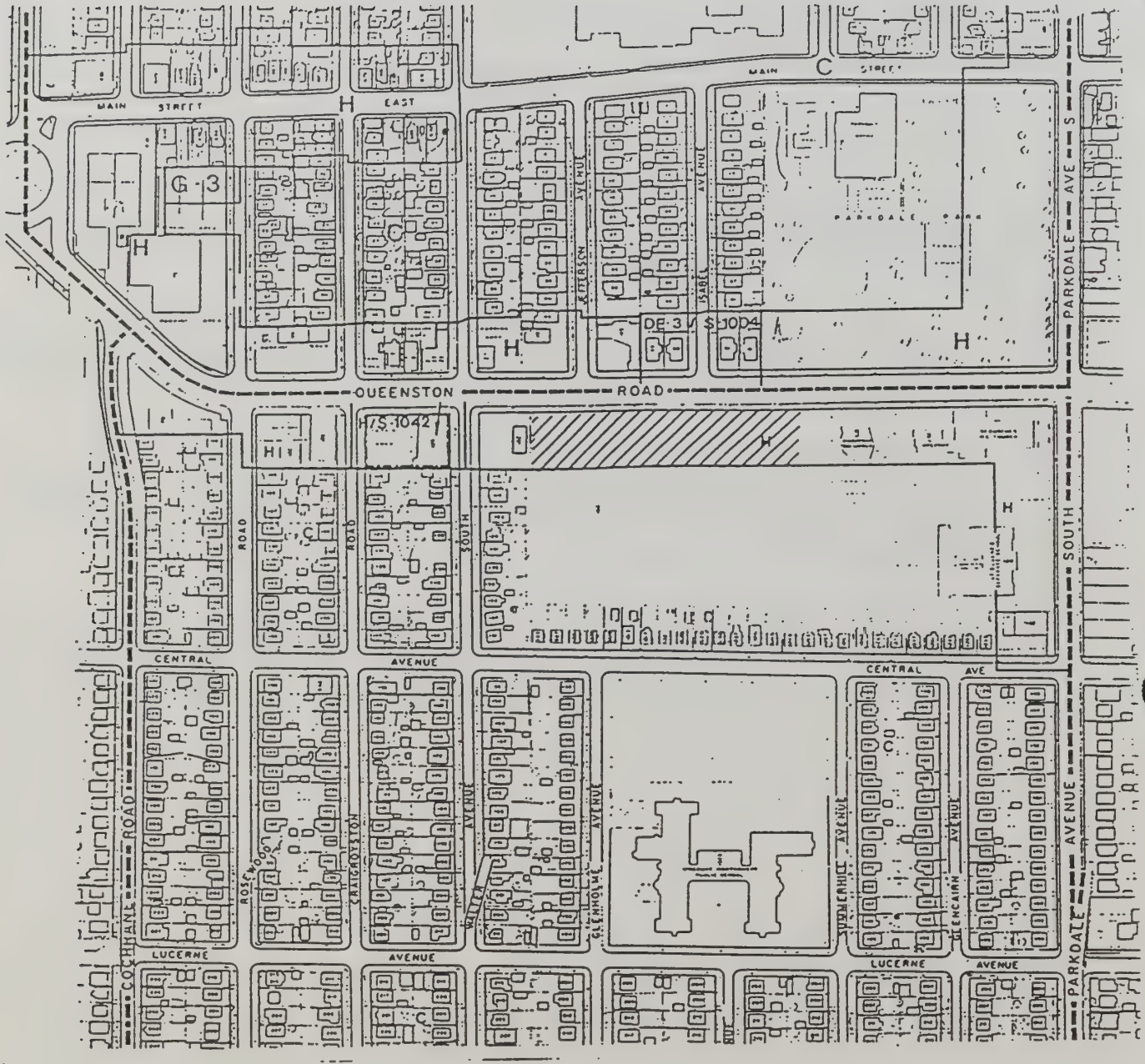
The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

(a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to purchase shall be prepared by the Owner and registered by the Owner at his/her expense, including payment of registration fees.

(b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.

(c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.

Appendix "C" referred to in Section 2(a) of the **SECOND** Report of the Planning and Development Committee for 1998

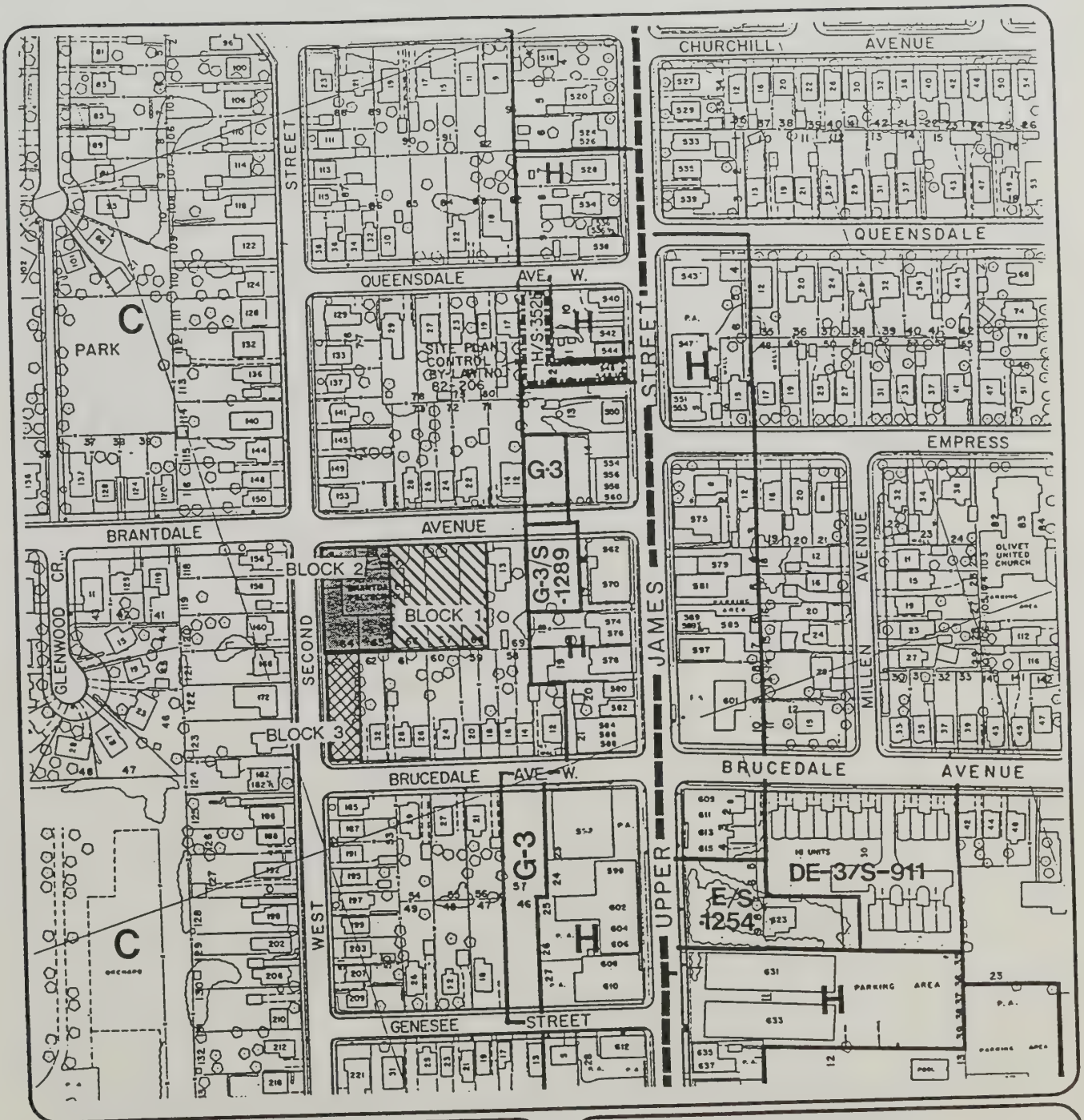


Legend

Proposed Change in Zoning

From "H" (Community Shopping and Commercial, etc.) District.
To "C" (Urban Protected Residential, etc.) District.

Reference File No
CI-97-C
Drawn By: R.L. / Date: July 1997
Scale: Not to Scale
North



Legend

BLOCK 1 — "C" (Urban Protected Residential, etc.) District to "R-4"-'H' (Small Lot Single Family Detached- Holding) District, Modified.

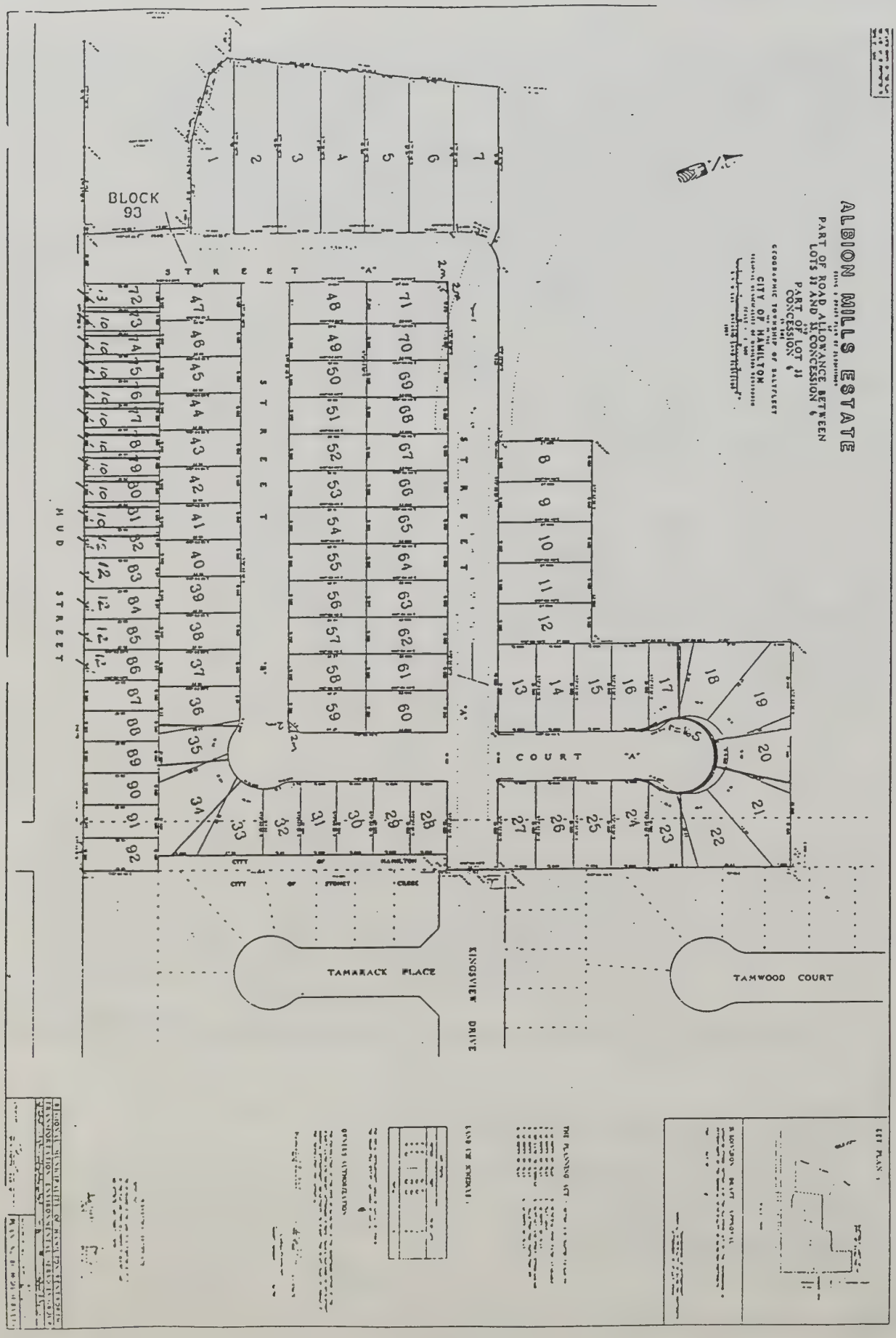
BLOCK 2 — "C" (Urban Protected Residential, etc.) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District, Modified.

BLOCK 3 — "C" (Urban Protected Residential, etc.) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District.

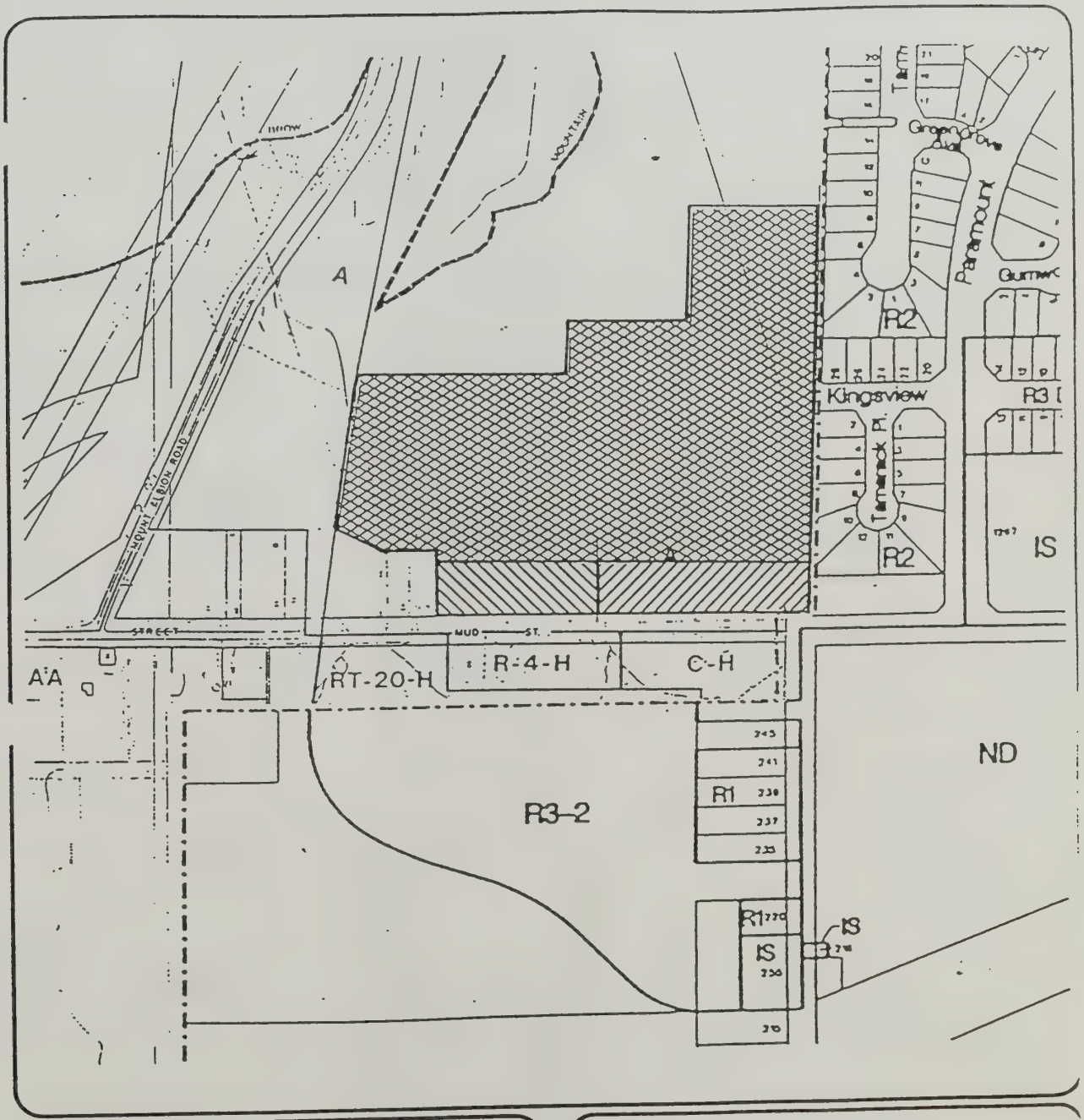
City of Hamilton

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-97-30
	Date	Drawn By
	DECEMBER, 1997	R.L.


ALBION MILLS ESTATE
BLOCK 93
MUD STREET
TAMARACK PLACE
TAMWOOD COURT
KINGSVIEW DRIVE

Appendix "F" referred to in Section 4(d) of the **SECOND** Report of the Planning and Development Committee for 1998



Legend

Change in Zoning from "A" (Conservation, Open Space, Parkland and Recreation) District to

BLOCK 1 — "B-2" (Suburban Residential) District

BLOCK 2 — "C"-'H' (Urban Protected Residential, etc. - Holding) District

BLOCK 3 — "R-4"-'H (Small Lot Single Family Dwelling - Holding) District

City of Hamilton

Planning and Development Department

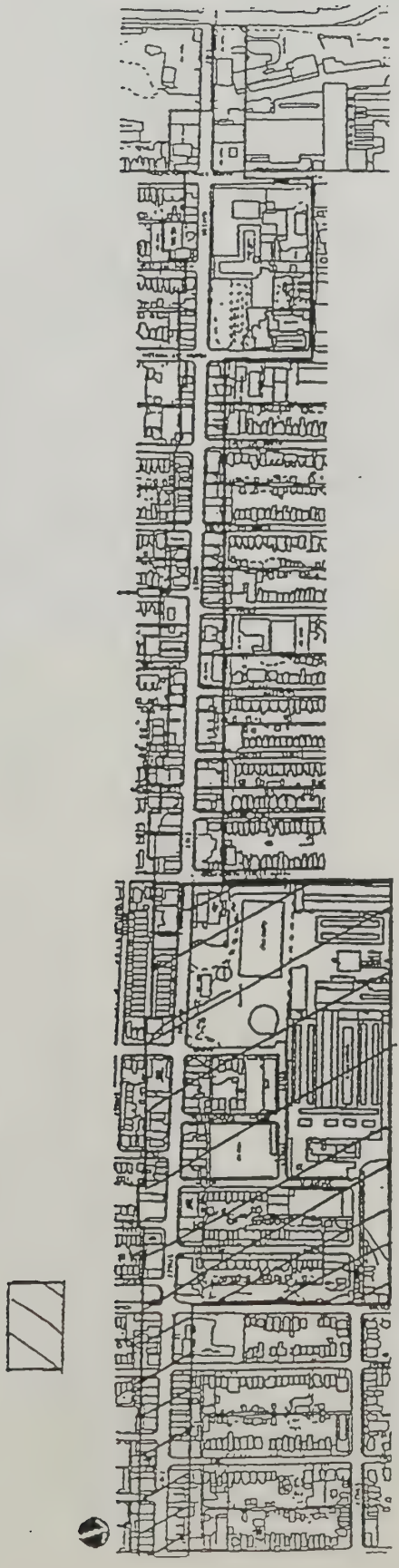
North	Scale	Reference File No.
	NOT TO SCALE	CI-97-D SAR-97-06
	Date NOVEMBER, 1997	Drawn By B. B.

DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA (B.I.A.)

1998 BUDGET

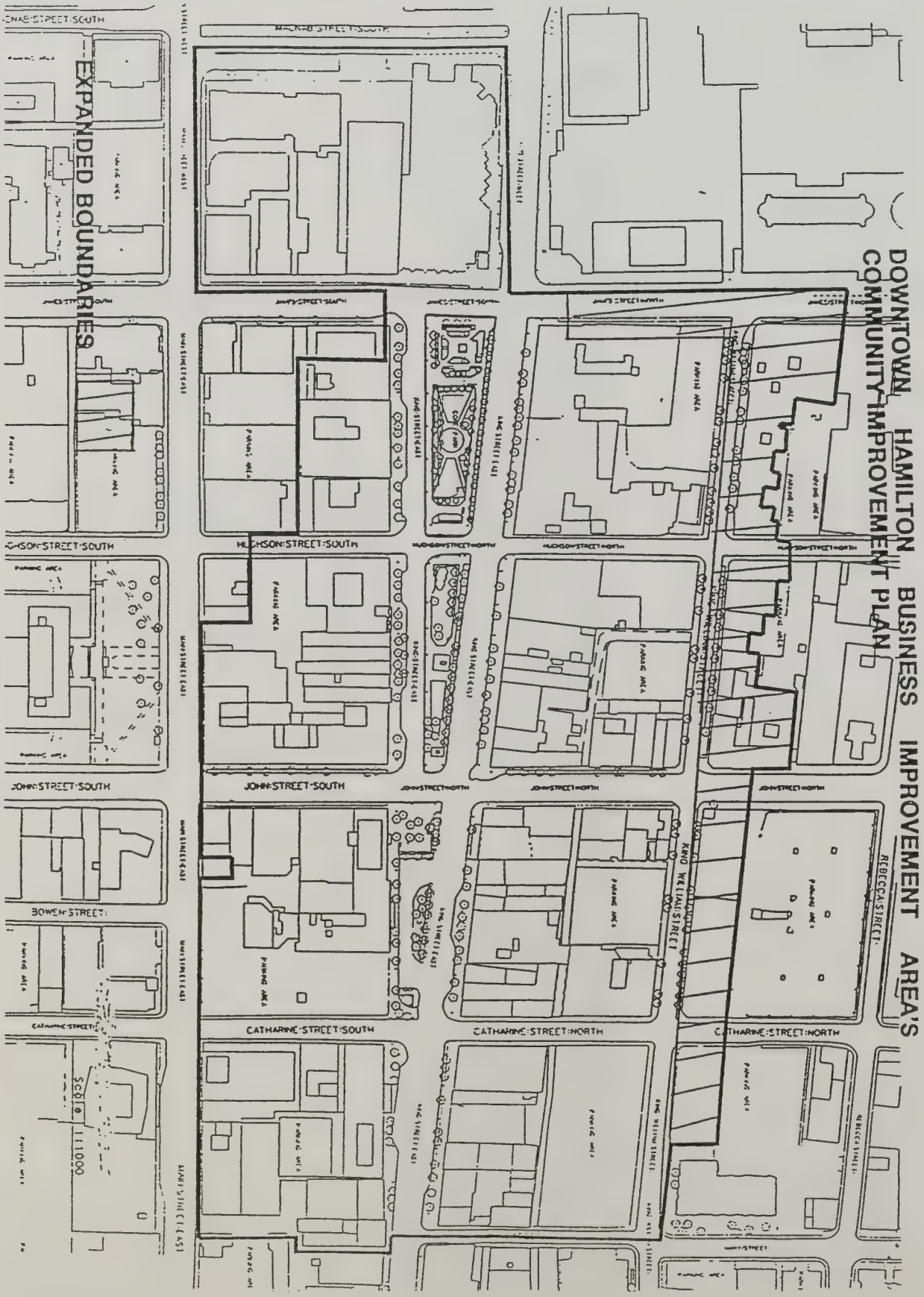
Promotions and Special Events (Summer Programs, Sponsorships, Christmas, Other Events)	$18,000
Administration (Rent, Meetings, Utilities, Office Expenses and Supplies, Telephone, Meetings, etc.)	$20,000
Management Fees (For Services of Executive Director)	$40,000
Reserve	$14,400
TOTAL	**$92,400**

Appendix "H" referred to in Section 15(a) of the **SECOND** Report of the Planning and Development Committee for 1998

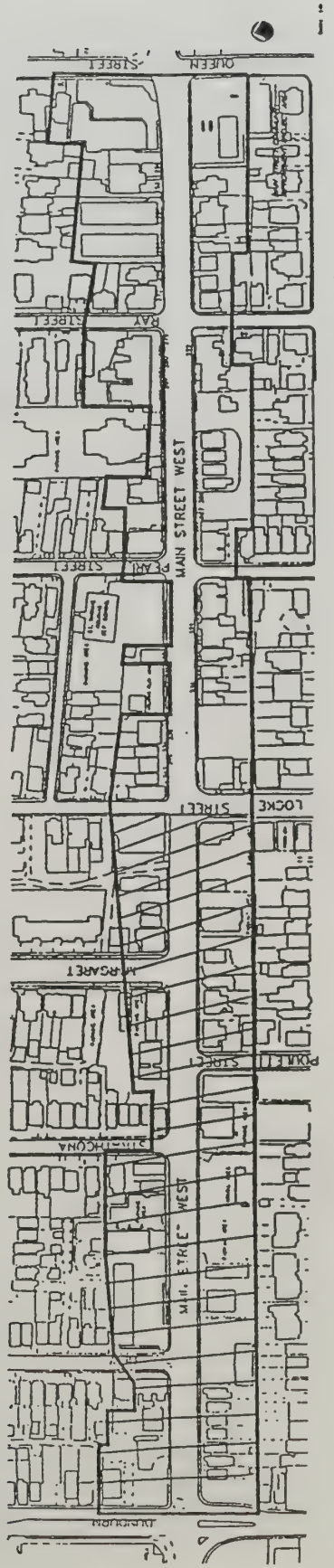


BARTON VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA

Appendix "I" referred to in Section 16(a) of the **SECOND** Report of the Planning and Development Committee for 1998

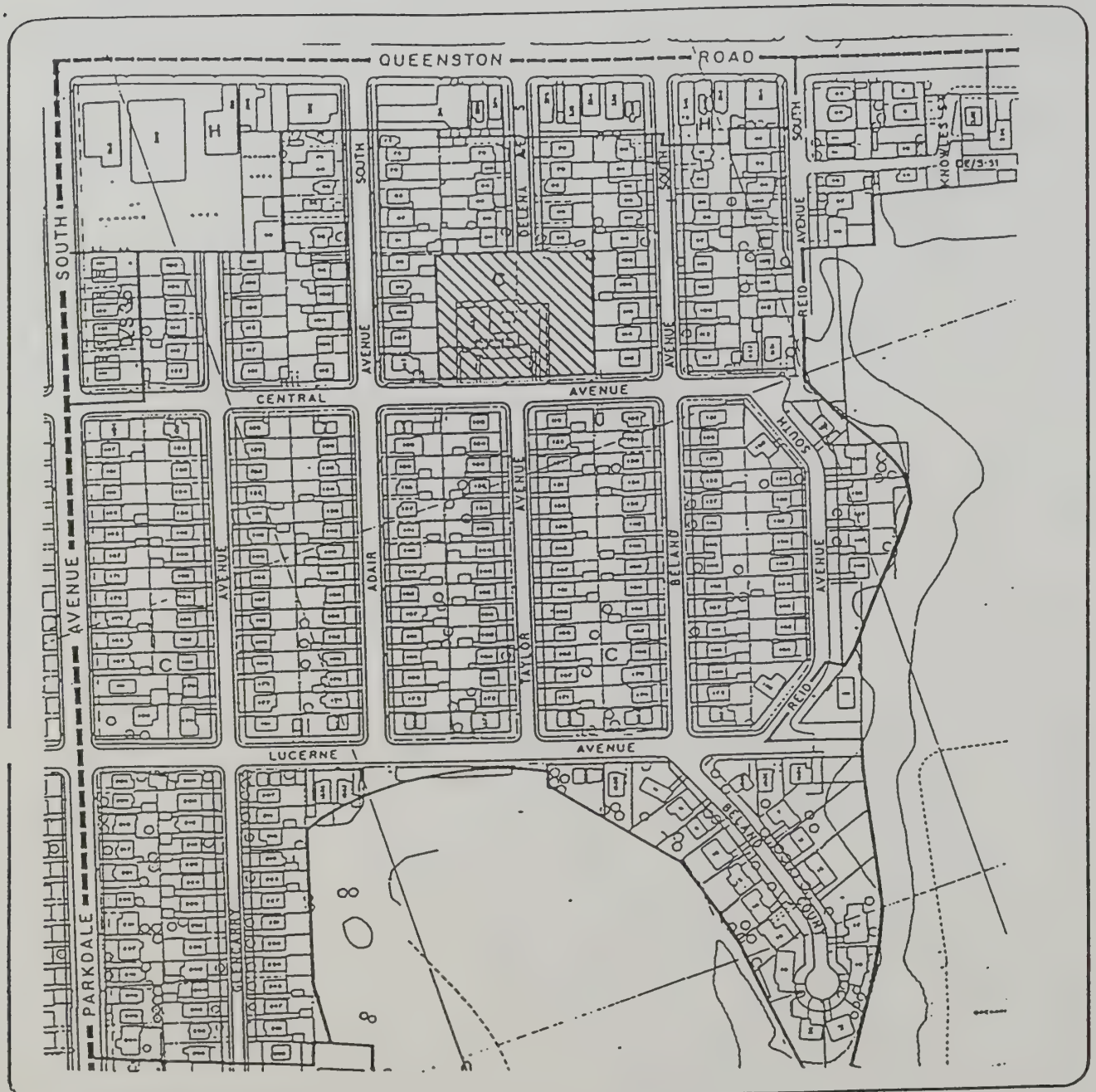


MAIN STREET WEST COMMUNITY IMPROVEMENT PROJECT AREA



EXPANDED BOUNDARIES

Appendix "K" referred to in Section 19(a) of the **SECOND** Report of the Planning and Development Committee for 1998



Legend

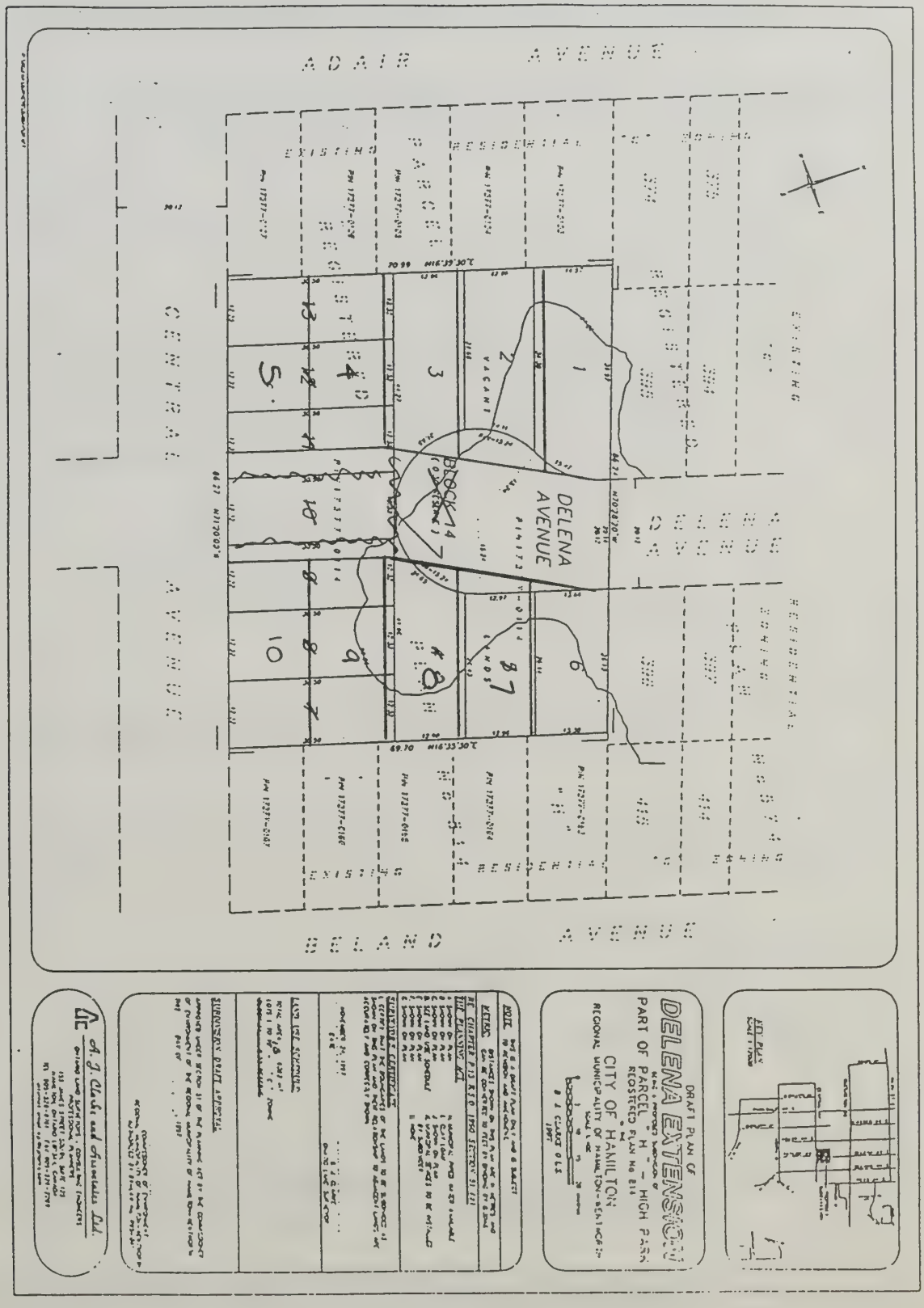
Site of the application

City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	SAR-97-07
	Date	Drawn By
	DECEMBER, 1997	B. B.


ADAIR AVENUE
DELENA AVENUE
BLOCK 14
BLOCK 87
DRAFT PLAN OF
DELENA EXTENSION
PART OF PARCEL 'H' - HIGH PARK
REGISTERED PLAN No 814
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
KEY PLAN
A. J. Clark and Associates Ltd.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. (a) That the City advise Regional Council that it supports the request of the East Hamilton Optimist Club to Regional Council for the Lakeland Community Centre (excluding Lakeland Pool) to be declared a Regional capital facility, exempt from taxation for municipal and school purposes under Section 210.1 of the Municipal Act; and,

   (b) That the 1997 capital grant request from the East Hamilton Optimist Club, previously tabled by the Finance and Administration Committee, be forwarded to the 1998 Capital Grant process for consideration.

2. (a) That the Province be advised that the City of Hamilton is opposed to the establishment of permanent, charity gaming clubs (charitable casinos); and,

   (b) That staff be authorized and directed to bring back Terms of Reference for a study on the social and economic impact of a Casino operation in the City of Hamilton.

   Recorded vote on sub-sections (a) and (b).

   YEAS: Aldermen Kiss, Horwath, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, O'Sullivan. -10.

   NAYS: Mayor Morrow, Aldermen Caplan, Corsini, Morelli, Haining, Kelly. -6.

   (c) That staff prepare a by-law prohibiting the installation of electronic gaming machines in Hamilton; and

   (d) That this by-law be presented to the next Finance and Administration Committee meeting. **ADDED.**

Recorded vote on sub-sections (c) and (d).

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -15.

NAYS: Mayor Morrow -1. **CARRIED.**

3. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

763 Dunn Avenue
491 Cannon St. E.

(b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

4. That the City Treasurer be directed to close the following Capital Projects Account(s) of The Parking Authority of the City of Hamilton with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
908945002	Upgrade Existing Parking Facilities	150,000	149,818.81	181.19
909245001	Study/Design of Existing/Future Parking	100,000	99,911.87	88.13
909345008	Demolition and Site Preparation	100,000	99,060.54	939.46

909445012	Study/Design-Existing Future Projects	50,000	49,910.24	89.76
909545013	Upgrade Existing Facilities	100,000	97,973.18	2,026.82
909545014	Study/Design - Existing/Future Parking	50,000	48,463.00	1,537.00

5. That the request from James Street Baptist Church for a deferral on Community Heritage Trust Fund Program loan repayments for a period of one year, up to 1998 July 31 after which time the borrower will be required to resume monthly payments of $555.13, be approved.

6. (a) That the Interim Taxation Mill Rates for 1998 be established as follows:

Residential Rate - 211.0000
Commercial Rate - 361.5460

Each of the two rates are to be billed at 105.5000 mills and 180.7730 mills respectively, in each of the first two tax instalments, payable 1998 February 27th and March 31st. The Prelevy Residential Rate represents 49.782% of the 1997 Residential Rate. The Commercial Prelevy Rate is calculated in accordance with the legislation; and,

(b) That, inasmuch as Council has decided that the Prelevy Tax Calculation as it applies to those businesses that are on the 1997 November Assessment Roll at 50% or less of the Realty Assessed Value, generates prelevy tax burdens on those properties that are excessive in relation to the taxes that may be levied on those properties in 1998, a reduction for the 1998 Prelevy will be applied as follows:

(i) Those units that are on the 1997 November Assessment Roll at a Business Assessment Percentage of 30% or less receive a 14% Prelevy Tax Credit Adjustment; and,

(ii) Those units that are on the 1997 November Assessment Roll at a Business Assessment Percentage of 50% receive a 3% Prelevy Tax Credit Adjustment; and,

(c) That a Non-metered Water and Sewer Surcharge Prelevy, be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1997 charge, to be billed in two equal instalments, payable 1998 February 27th and March 31st; and,

(d) That the City Solicitor be authorized and directed to prepare the appropriate Prelevy Taxation By-law; and,

(e) That the insert, attached herewith and marked Appendix "A", be included with each February Pre-levy Tax Bill and that an advertisement based on the insert appear in the Hamilton Spectator at the time of mailing of the tax bills.

7. (a) That the City Treasurer be authorized and directed to finalize an Agreement, for the provision of Financial Shared Services to the Region, in a form satisfactory to the City Solicitor, based upon the City's original proposal as amended by the report from the Treasurer dated 1998 January 15, which was presented to the Finance and Administration Committee, and available from the Committee Secretary upon request; and,

(b) That the above-noted report from the Treasurer be amended with respect to Penalty Clauses to advise the Region that the City does not agree with penalty clauses being inserted into the Agreement; and,

(b) That the City Treasurer report back to the Finance and Administration Committee, no later than the second scheduled meeting in 1998 February, on the progress of this initiative.

8. That as referred to in Section 4 of the First Report of the Finance and Administration Committee approved by City Council on 1997 December 11, the costs of the 1997 Non-union compensation adjustments in the amount of $141,200 be financed from the Reserve for Tax Stabilization.

9. That as referred to in Section 14 of the Second Report for 1998 of the Parks and Recreation Committee, the contribution in the amount of $10,000 to assist in defraying the costs of the Parks and Recreation Ontario 1998 Educational Forum conference to be held in Hamilton 1998 April 26 -29, be financed from the Hosting of Conferences with Municipal Subject Content Account CH 55307 80040.

10. That as referred to in Section 9 of the Second Report for 1998 of the Parks and Recreation Committee, the financing for Huntington Park Recreation/Retrofit be funded as follows:

    (a) That the total project for Huntington Park Renovation/Retrofit as revised by City Council on 1993 April 13 (Eighth Report of the Finance and Administration Committee for 1993) now be revised again from $3,385,000 to $3,415,840 by $30,840; and,

    (b) That the above net additional cost of $30,840 be financed from the Reserve for Capital Projects, Account Centre No. CH 00203; and,

    (c) That the City Solicitor be authorized to revise the appropriate City By-Law No. 93-126 dated 1993 May 25 (previous OMB order No. E910675 dated 1991 July 11, and City By-Law No. 91-148 dated 1991 July 30) accordingly.

11. (a) That the City temporarily suspend any further work on the originally contemplated pedestrian connection between the Farmer's Market and Eaton's until Yale Properties and Eaton's along with the City of Hamilton conclude the optimum way of making the connection; and,

    (b) That the results of these discussions with Yale Properties and Eaton's come back to the Finance and Administration Committee for review.

12. (a) That approval be granted for Monday, 1998 December 28, to be designated the Statutory Holiday because Boxing Day falls on a Saturday; and,

    (b) That City Hall services along with some of the other municipal facilities and services except emergency services (fire, snow clearing, dispatch) not be provided between Christmas Day and New Year's Day on 1998 December 29, 30 and 31; and,

    (c) That the Region of Hamilton-Wentworth be requested to similarly declare 1998 December 28, a Statutory Holiday and to provide only emergency services between Christmas Day and New Year's Day.

13. That the following recommendation, approved via a poll of the Members of the Finance and Administration Committee, conducted on Tuesday, 1998 January 13th and unanimously approved, be ratified:

(a) That in response to requests for assistance from Eastern Ontario and areas of Quebec Province as a result of severe weather conditions, that the following be provided:

(i) Generators to be operated by trained personnel in Perth, Ontario; and,

(ii) Two City Forestry crews (10 men), along with trucks and forestry equipment, for a minimum of 5 days for the purpose of cleaning up the debris of branches and trees in Lanark-Highland Township, Ontario; and,

(b) Supply of fire wood from City forestry operations, with delivery supplied by others at no cost to the City; and,

(c) That funding for this assistance be provided to an upset limit of $50,000; and,

(d) That the cost for assistance for Eastern Ontario as a result of severe weather conditions in an amount not to exceed $50,000, be financed from the Reserve for Contingency, Account Centre No. CH 00115.

14. That the original approved budget allocation from the Downtown Partnership Account for the Downtown Vision Workshop to be conducted by Mr. Gianni Longo of American Communities Partnership be increased from $10,000 to $35,000.

15. That a purchase order be issued to City Maintenance (formerly known as RCM Contracting Ltd.) to supply various maintenance services as and when required by the Real Estate Division of the City Clerk's Department and the Building Department during 1998, 1999 and 2000 being the most acceptable of the six (6) tenders received in accordance with the specifications issued by the Manager of Purchasing and Vendor's Tender, and be financed through the Building Department's Property Standards Account No. CH 56390 50001, and the City Clerk's Department Building Repairs - Civic Properties Account No. CH 57301 31106.

Hourly Rate One Person Operation	$25
Hourly Rate Two Person Operation	$35
Hourly Rate Three Person Operation	$45
Hourly Rate for Rubber Tire Backhoe with Operator	$40

16. That the Director of Culture and Recreation, in consultation with the City Clerk, the Regional Clerk, the Director of Information Systems, and Members of Council, prepare recommendations and options to upgrade the technology in use in the Council Chambers including audio-visual equipment, television access, and computer access.

17. (a) That the City renew its membership for 1998 with the Association of Municipalities of Ontario at a fee of $13,928.02; and,

(b) That staff be authorized to remit this payment at a cost to be financed from Account No. CH 56011-10032 - Memberships.

18. That the Chairman of the Finance and Administration Committee or his designate, and two other members of the Finance and Administration Committee, be authorized to attend the Special Meeting of members of the Association of Municipalities of Ontario being held on 1998 February 6th in Toronto for the purpose of discussing a strategy for dealing with recent provincial government announcements regarding the allocation of financial responsibilities stemming from the Who Does What process as well as proposed changes to the Association's structure and operations.

19. (a) That staff and resources be made available to Alderman B. Charters in his role as the City's liaison with the Federal government in the drafting of the Letters Patent of the Hamilton Port Authority; and,

(b) That staff provide monthly reports to the Finance and Administration Committee, copied to all members of City Council, with respect to the Letters Patent for the Hamilton Port Authority and with respect to the City's past claim to surplus profits from the Hamilton Harbour Commissioners; and,

(c) That the City Solicitor be directed to provide a report back to the Finance and Administration Committee with an opinion on the City's right under the Canada Marine Act.

20. (a) That the operation of the Municipal Community Centre at 45 Ellis Street, Hamilton, by The Hamilton East Kiwanis Boys' and Girls' Club Inc. be declared a Municipal Capital Facility for the purposes of the municipality and is for a public use; and,

(b) That the appropriate By-law under Section 210.1 of the Municipal Act be enacted to authorize an Agreement with The Hamilton East Kiwanis Boys' and Girls' Club Inc. to operate the Municipal Community Centre at 45 Ellis Street; and,

(c) That the City Solicitor and the Director of Culture and Recreation be authorized to negotiate a Municipal Capital Facility Agreement with The Hamilton East Kiwanis Boys' and Girls' Club Inc. for the use of 45 Ellis Street.

21. That authorization be given to issue a purchase order in the amount of $68,568.81 inclusive of GST ($4,485.81) to Honeywell Limited of Hamilton to supply and install 10 FS90 fire panels within Copps Coliseum.

22. That City Council endorse the Strategic Direction for New Capital and Capital Maintenance Projects for City-owned buildings including those dedicated to culture and recreation purposes as described in the document attached hereto and marked Appendix "B". **AMENDED.**

23. That authorization be given to establish an open order with Dafco Filtration Products Limited on a per unit cost basis for the years 1998, 1999, 2000. Estimated yearly cost of filters approximately in the $35,000. to $40,000. Dafco Filtration Products Limited was the lowest acceptable tender received in accordance with the specifications (REF: C20-2997) issued by the Purchasing Division.

24. (a) That a purchase order be issued to Smeal Fire Apparatus Co., West Snyder, Nebraska, in an amount not to exceed $888,350.38 (Canadian Funds) including all applicable taxes, for the supply and delivery of one (1) Combination Aerial Ladder Truck, in accordance with the specifications issued by the Purchasing Division and the Vendor's Tender. This bid is the lowest acceptable bid received; and,

(b) That this expenditure be financed through Capital Account CF 5531 489851027 - Replacement of Snorkel Truck; and,

(c) That the Mayor and the City Clerk be authorized and directed to execute the above mentioned contract in a form satisfactory to the City Solicitor.

25. (a) That the City decline to accept the Plaintiff's Offer to Settle Ontario Court (General Division) Action No. 11065/95 for the payment to the Plaintiff, Dorothy Askey, of the sum of $22,203 inclusive of damages, interest and costs; and,

(b) That the City make an Offer to Settle in Ontario Court (General Division) Action No. 11065/95 in the following terms:

(i) That the City will pay to the Plaintiff, Dorothy Askey, the sum of $14,100 inclusive of damages, interest and costs; and,

(ii) That the Plaintiff will provide the City of Hamilton with a Full and Final Release in a form satisfactory to the City Solicitor; and,

(iii) That this action will be dismissed without costs; and,

(iv) This Offer remains open for acceptance until withdrawn, or until the commencement of Trial whichever first occurs.

26. (a) That the City resolve Ontario Court (General Division) Action # 13519/96 by the payment to the Plaintiff, Dorothy Espey, of the sum of $5,000 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 13519/96 be dismissed without costs.

27. (a) That the City of Hamilton decline to accept the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 8527/95 whereby the City of Hamilton would pay to the Plaintiff the sum of $15,000, plus legal costs; and,

(b) That the City of Hamilton Offer to Settle all outstanding issues in Ontario Court (General Division) Action No. 8527/95 on the following terms:

(i) The City of Hamilton pay to the Plaintiffs Marta Powell, Jolana Fodor and Robert Powell the sum of $3,500, inclusive of all claims for damages, interest and costs; and,

(ii) That the Plaintiffs' be required to execute a full and final release in a form satisfactory to the City Solicitor; and,

(iii) That Ontario Court (General Division) Action No. 8527/95 be dismissed without costs; and,

(iv) That this Offer to Settle remains open for acceptance until withdrawn, or until the commencement of trial, whichever first occur.

28. That the City decline to accept the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. C14260/94 by the payment to the Plaintiffs Phyllis Honsberger and Gaye-Ann Pracsovics the amount of $26,920.37 plus prejudgment interest, plus costs.

29. (a) That the City resolve all outstanding issues in Ontario Court (General Division) Action No. 10038/95 by the payment to the Plaintiffs, Angela, Domenico, Donatella, Barbara, Denise and Patricia Pepe, of the sum of $5,000 inclusive of all claims for damages interest and costs; and,

(b) That the Plaintiffs be required to obtain a Judge's approval of the infant portion of the settlement; and,

(c) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(d) That Ontario Court (General Division) Action No. 10038/95 be dismissed without costs.

30. (a) (i) That 2, 4, 6, 8, 10, and 12 Tamarack Place be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

(ii) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law; and,

(b) (i) That an Offer to Purchase the rear land at 2 Tamarack Place for the price of $5,328, executed by A.D. and L.A. Vacca dated 1997 December 8, be accepted. The said land has an area of 110 square metres (1,184 square feet) more or less, being Part 1 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $533 be held by the City Treasurer pending Council approval; and,

(c) (i) That an Offer to Purchase the rear land at 4 Tamarack Place for the price of $4,842, executed by P.P. Fticar dated 1997 December 4, be accepted. The said land has an area of 100 square meters (1,076 square feet) more or less, being Part 2 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $484 be held by the City Treasurer pending Council approval; and,

(d) (i) That an Offer to Purchase the rear land at 6 Tamarack Place for the price of $4,842, executed by N. and M. Starcevic dated 1997 December 3, be accepted. The said land has an area of 100 square metres (1,076 square feet) more or less, being Part 3 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $484 be held by the City Treasurer pending Council approval; and,

(e) (i) That an Offer to Purchase the rear land at 8 Tamarack Place for the price of $6,781, executed by M.J. and C.J. McHugh dated 1997 December 3, be accepted. The said land has an area of 140 square metres (1,507 square feet) more or less, being Part 4 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $678 be held by the City Treasurer pending Council approval; and,

(f) (i) That an Offer to Purchase the rear land at 10 Tamarack Place for the price of $11,140, executed by D. and D.J. Therrien dated 1997 November 29, be accepted. The said land has an area of 230 square metres (2,476 square feet) more or less, being Part 5 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $1,114 be held by the City Treasurer pending Council approval; and,

(g) (i) That an Offer to Purchase the rear land at 12 Tamarack Place for the price of $1,937, executed by M.A. and D.A. Garon dated 1997 November 29, be accepted. The said land has an area of 40 square metres (430.55 square feet) more or less, being Part 6 on Plan 62R-13664, said transaction scheduled to close on 1998 March 31. Funds derived from this sale be credited to Account Centre CH 00102 (Reserve for Property Purchases); and,

(ii) That the required deposit cheque in the amount of $194 be held by the City Treasurer pending Council approval; and,

(h) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) No appraisal of fair market value of the real property intended to be sold has been obtained as land that does not have direct access to a highway and is being sold to the owner of land abutting that land is exempt from the appraisal requirement of Section 193 of the Municipal Act.

31. (a) That an Offer to Purchase Agreement for 1319 Main Street East for the price of $50,000, executed by S. Syal and S. Syal, dated 1997 November 25, be accepted. The said lands being composed of Lot 69, Plan 527, have a frontage of 9.144 metres (30.0 feet) more or less, along the northerly limit of Main Street East and a depth of 30.48 metres (100.0 feet) more or less. The lands and buildings were vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended. Funds derived from this sale of $50,000, less a commission of $3,000, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $5,000 be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of $3,000 (6% of the $50,000 sale price) be paid to Chambers & Company Limited (Sales Representative Frank Caravaggio), who acted in this matter; and,

(d) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1998 January 20.

32. That the formula to annually adjust the salaries of the Mayor and City Aldermen based on December 1 data, as the lesser of 5% or the annual increase in the Consumer Price Index, of the 12 months of the preceding year be re-instituted.

33. (a) That the City of Hamilton fund 50% ($2,350) of the gross $4,700 cost for an early retiree OMERS bridging arrangement; and,

(b) That this amount be funded first, from any operating surplus within the Human Resources Centre Budget, and second, the City Treasurer recommend a method of financing.

34. To acquire two parcels of vacant land for highway and municipal purposes to complete the extension of Elmore Drive, it is recommended:

(a) That, in accordance with the Expropriations Act, Council, as an approving authority, approve the application of the City to expropriate land for highway and municipal purposes, such lands, each measuring 33 feet by 100 feet and described as Parts 2 and 5, Plan 62R-11322, being rear portions of two properties known as 1472 and 1496 Upper Gage Avenue; and,

(b) That, having considered the reports of the Inquiry Officer with respect to Parts 2 and 5, Council, as approving authority, has approved the proposed expropriation because the lands are reasonably necessary in the achievement of the objectives of the expropriating authority; and,

(c) That the City Clerk be authorized and directed to give Notice of the City's decision and reasons in accordance with the Expropriation Act; and,

(d) That Council, as approving authority, authorize the City Solicitor to prepare appropriate by-laws to expropriate the lands for highway and municipal purposes.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, O'Sullivan. -14.

NAYS: Aldermen Copps, Kelly. -2. **CARRIED.**

35. That a Task Force consisting of Alderman D. Wilson, Alderman C. Collins, Alderman F. D'Amico and appropriate staff be struck to report back on a full Study of the Hamilton Parking Authority and the Downtown.

36. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-7 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

(b) D-8 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

(c) D-9 A By-law to enact an Interim Tax Levy. **ADDED.**

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 January 20

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. (a) That a 1998 Capital Budget Project be authorized for the emergency repair and replacement of the two ice making chillers at Copps Coliseum to an upset limit of $220,000 inclusive of the applicable taxes; and,

   (b) That approval be given to establish a Purchase Order with York International Ltd. of Mississauga, Ontario in the amount of $174,580.85 inclusive of $10,882.99 G.S.T. for the supply of labour and materials to repair and overhaul the two ice making chillers at Copps Coliseum this being the only acceptable Vendor (Original Equipment Manufacturer) in accordance with the Administrative Guidelines of the Purchasing Policy; and,

   (c) That approval be given to establish a purchase order with Aggreko Inc. of Brampton, Ontario for the weekly lease of a 200 ton portable refrigeration unit in the amount of $7,835. plus applicable taxes; and,

   (d) That the 1998 capital project established in relation to Repairs of Copps Coliseum Ice Plant Equipment at an estimated amount of $220,000 be financed from the Reserve for Contingency, Account Centre No. CH 00115; and,

   (e) That the 1998 Capital Budget submission (Copps/Central Library convert to CFC Refrigeration Equipment in the amount of $342,000) from the Culture and Recreation Department be reduced accordingly.

2. (a) That City Council authorize the expenditure of an additional $90,000 to complete the removal and provision of temporary storage of the remainder of combustible contents contained in the building located at 231 Gage Avenue North. Further costs will be incurred once the Court has rendered a decision regarding disposal or subsequent storage of the contents; and,

(b) That the cost of removal and provision of temporary storage of the combustible contents at 231 Gage Avenue North at an estimated amount of $90,000 be financed from the Reserve for Contingency, Account Centre No. CH 00115; and,

(c) That the Reserve for Contingency be reimbursed on receipt of recovery of the cost.

3. (a) That City Council authorize payment of costs for security services at 231 Gage Avenue North pursuant to the directions from the Ontario Fire Marshal on 1997 December 6; and,

(b) That the Hamilton Fire Chief pursue collection of these costs from the landowner, with the assistance of the Fire Marshal and City Solicitor; and,

(c) That the cost for security service at 231 Gage Avenue North at an estimated amount of $62,000 be financed from the Reserve for Contingency, Account Centre No. CH 00115; and,

(d) That the Reserve for Contingency be reimbursed on receipt of recovery of the cost from the landowner.

4. (a) That the Association of Municipalities of Ontario be petitioned to support the City of Hamilton's resolution respecting a full Public Inquiry into all aspects of the Plastimet Fire at 363 Wellington Street North as per City Council's resolution approved 1997 July 24th as follows:

> "That the Province of Ontario be requested to conduct a full public inquiry into all aspects of the Plastimet Fire at 363 Wellington Street North and that this inquiry provide recommendations aimed at preventing a reoccurrence of this type of fire and its resulting consequences in the future and further that all local M.P.P.'s be asked to support this request."

(b) That the above-noted motion be presented by the City's representatives who will be attending the Special meeting of members of the Association of Municipalities of Ontario being held on 1998 February 6th in Toronto.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

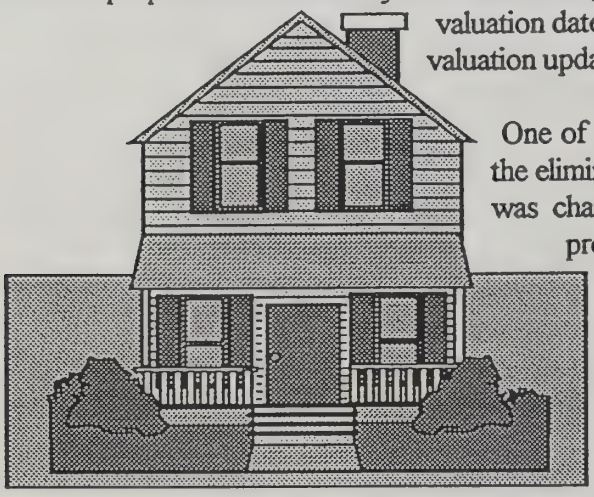
Susan K. Reeder
Secretary
1998 January 26

Appendix "A" referred to in Section 6 of the THIRD Report of the Finance and Administration Committee for 1998

1998 MUNICIPAL TAXATION

City of HAMILTON

The Province of Ontario has passed Legislation that will effect the calculation of your municipal taxes. Traditionally, in Hamilton-Wentworth and across the Province, assessments are based on the market value of properties for different years. These changes will update all property values to a June 30, 1996 valuation date and the Legislation commits to a schedule for future valuation updates.



One of the most significant changes to municipal taxation is the elimination of the Business Occupancy Tax (BOT), which was charged to each business operator. The tax revenues previously generated from this source must now be recovered from real property taxation.

1998 Pre-Levy Tax Billing

The 1998 **residential pre-levy tax bills** are based on "preliminary" realty assessment values taken from the November 1997 return of the assessment roll. The pre-levy tax bills will be based on the old assessment values, not the new Current Value Assessments. As in previous years, the taxes billed are calculated by multiplying the old assessment values by approximately 50 % of the prior years residential mill rate, as indicated in the legislation. Accordingly, neither the effects of provincial downloading nor changes to education financing make up a portion of the pre-levy bill.

The 1998 **non-residential pre levy tax bills** are based on "preliminary" commercial assessment values taken from the November 1997 return of the assessment roll. The commercial prelevy.. mill rate, calculated in accordance with the provincial legislative direction is than applied to each commercial assessment to arrive at a prelevy taxation amount on each property. You will note that the difference between the residential prelevy mill rate and the commercial one is much larger than it has been in the past. Part of that difference is attributed to the legislation allowing the municipality to levy the commercial prelevy mill rate rather than the residential one on all commercial property assessment. The remainder of that difference is made up of the addition of what had been the business occupancy tax onto the commercial realty taxation billing. Again, the effects of provincial downloading and changing education financing are not part of the pre-levy billing.

1998 Levy Tax Billing

Traditionally, taxes have been based on residential and commercial mill rates. The new Legislation will create new property classes and the requirement for a different tax rate for each of the new tax classes. The Province has also made changes to the manner in which Education taxes are levied. Commencing in 1998, provincial wide education tax rates will be set for residential and non-residential taxation and added to municipal tax bills. The local Boards of Education previously determined these rates.

There will be a reduction in the amounts levied for education purposes in 1998 for residential taxpayers, as the Province is assuming partial responsibility. However, it is projected that the tax savings may be more than offset by an increase in the Regional and City portions of the levy due to the downloading of responsibilities to the Region and the City by the Province of Ontario.

What you can expect

The Province, through the Ministry of Revenue and their Regional Assessment Offices, is in the process of forwarding assessment notices to each property owner. Those notices will reflect the new **current value assessment** and those values will become the basis for municipal taxation. Instructions with respect to speaking to a regional assessment representative will accompany the assessment notices. At the same time, municipal governments are expending much time and effort interpreting the new legislation, making appropriate policy decisions and redesigning their tax billing systems to incorporate the new requirements. In accordance with the legislation, the majority of the policy decisions are to be made by the regional level of government and the formulation of those decisions is ongoing. For these reasons, the City of Hamilton is not in a position to comment on projected 1998 individual property tax bills.

Other changes proposed in the Legislation

The Province of Ontario has also proposed changes in the Legislation, which will allow municipalities to ease the impact of reassessment for taxpayers. However, tax increases, as a result of changing responsibilities between levels of government and associated costs, can not be phased in, nor can they be deferred under a tax deferral scheme. As indicated previously, the implementation of programs designed to ease reassessment impacts, depend on policy decisions that are to be made by the Region of Hamilton-Wentworth. The legislation provides for the following programs:

a) Phased in tax increases/decreases.

b) A tax deferral scheme for qualified senior/disabled persons.

c) A tax rebate program for qualified charitable organizations.

d) Graduated commercial mill rates.

Before any decisions can be made concerning the criteria for any of the above noted programs much analysis is required. The data needed for the analysis has only recently been distributed to each municipality in the Province, by the Ministry of Revenue. As decisions are made and local policy is formulated the City will keep you updated. Inasmuch as further details are as yet unavailable the City would encourage you to wait for further notice in this regard.

Appendix "B" referred to in Section 22 of the **THIRD** Report of the Finance and Administration Committee for 1998

CULTURE AND RECREATION FACILITIES AND BUILDINGS

STRATEGIC DIRECTION

NEW CAPITAL AND CAPITAL MAINTENANCE PROJECTS

OVERVIEW:

The Department of Culture and Recreation exists to enhance the quality of life in the City Hamilton through the provision of arts, heritage, sport and recreation services. It has also been assigned responsibility for the stewardship and management of all city-owned buildings and facilities.

The building inventory includes up to 200 properties and includes City Hall, fire stations, museums, arenas, recreation centres, major outdoor stadia, fieldhouses, tennis and lawn bowling facilities and other civic properties. The Kings Forest and Chedoke Civic Golf Courses and Chedoke Winter Ski Park further add to this list of properties under the jurisdiction of the Department.

The functions and uses of these buildings vary greatly. City Hall, for example, serves as the focal point for civic life in our community. It is a meeting place, a place of business and a downtown attraction.

For the past number of years, up to three civic departments have given consideration to the capital requirements of the city's buildings and facilities. Through a series of reorganizations City Council has now concentrated this responsibility with the Director of Culture and Recreation.

Staff of the Department have just completed a total review of capital needs and capital budget development processes and are presenting this Strategic Plan for the consideration and approval of City Council for implementation for the 1998 Ten Year Capital Plan.

MISSION:

Buildings and facilities in the ownership of the City of Hamilton set the standard for appearance, cleanliness, energy efficiency and ease of access and use. Pride of ownership is an essential element of being a good neighbour. The City's buildings and facilities reflect taxpayers' pride in their heritage, their community and their institutions.

The staff of the Department of Culture and Recreation are committed to achieving this mission in fulfilment of their role as stewards and managers of the City's inventory of buildings and facilities.

We will achieve this mission by adhering to the principles outlined in this plan and by adhering to a planning process that ensures that:

* need for buildings and facilities is clearly understood
* use of buildings and facilities drives design and construction
* designs for retrofits and new construction balance use, design, maintenance and safety objectives

PRINCIPLES:

1. FUNCTIONAL AND USER-FRIENDLY BUILDINGS AND FACILITIES:

All buildings and facilities must provide a positive environment in order to ensure that the intended uses can be carried out effectively and efficiently.

3. ENERGY EFFICIENT AND ENVIRONMENTALLY FRIENDLY BUILDINGS AND FACILITIES:

The development of a strategic energy plan; increased investment in building automation system technology and modernization of the Central Utilities Plant through the District Heating initiative will maximize energy efficiency, thereby reducing costs and ensure compliance with global environmental initiatives in the area of greenhouse gases. The application of other environmentally friendly objectives will carefully considered.

3. BUILDINGS AND FACILITIES THAT MAXIMIZE CAPITAL INVESTMENT THROUGH PROACTIVE LIFE CYCLE MAINTENANCE:

The capital construction and maintenance programs ensure that buildings and facilities perform up to and beyond city and industry standards throughout their life cycle.

4. BUILDINGS AND FACILITIES WILL BE BARRIER FREE

All facilities will renovated or constructed in accordance with the Barrier Free Standards to ensure that all residents can have access to services provided at city facilities.

CURRENT STATE:

The vast majority of the City's buildings are near or at the end of their normal life cycle. Past capital planning approaches have been specific and fragmented. The mandate in the recent past has been simply to fix what is broken. Until recently, little attention has been paid to evaluation of use and aesthetics.

PREFERRED STATE:

In order to achieve the Mission, it is necessary to adopt a broader and more aggressive capital strategy. Balance must be achieved relative to use, maintenance, design and safety. The capital review and priorization process documents and recommends capital priorities on a more coordinated and systematic way.

This "Total Building Approach" will ensure that any future investment will return full value in terms of programming and efficiency of operation.

ASSET MANAGEMENT PROGRAM:

Staff are proposing the adoption of an Asset Management Program. By its very name, the program assumes that each and every one of the city's buildings and facilities is an "asset" in true financial terms. As such, it is imperative that the value of these public assets be protected and enhanced.

Beyond financial considerations, these public assets fulfil a civic purpose in that they are used for a variety of needed and important functions.

The Total Building Approach that characterizes the Asset Management Program examines each building and facility in its totality and considers capital requirements across a number of dimensions:

1. **PROGRAMMING:**
   For what purpose is the asset intended to be used? Does the current state of the asset facilitate the full and effective use? Does it meet current trends and standards relative to use? Is it organized in such a way as to maximize revenues, should this be an element of its use?

2. **IMAGE:**
   Does the asset present an external appearance in keeping with the Mission? Does it have an attractive address? Is the asset present an appealing internal appearance? Are users comfortable?

3. **OPERATIONAL MAINTENANCE:**
   Does the asset perform to code, city or industry standards? Is it energy efficient?Is it time to replace major infrastructure elements? What's worn out? What needs to be replaced? What needs to be done to support changes to programming?

PRIORITIES:

Staff of the Department of Culture and Recreation Department, in consultation with stakeholders have developed a draft Ten Year Capital Plan for each asset for consideration during the 1998 Capital Budget based on the principles of this strategy.

Priority will continue, in the short term, to be placed on the evaluation and retrofit of existing assets.

New projects will also be evaluated based on service need and financial impact.

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. That the following citizens be recommended to Regional Council for appointment to the Hamilton Region Conservation Authority for a term to expire 2000 November 30:

   James Howlett
   Danielle Marchese
   Mark Milligan
   Nadine Morrison

2. That the following citizens be recommended to Regional Council for appointment to the Regional Court of Revision for a term to expire 2000 November 30:

   Maria Demydchuk
   John Harrop

3. That the following citizens be appointed to serve on the Hamilton Entertainment and Convention Facilities Inc. for a term to expire 2000 December 31:

   Pat DeCaria
   Soheil (Sonny) Monzavi
   John Nelson

4. a) That the following citizens be appointed to serve on the Property Standards Committee for a term to expire 2000 November 30:

   Carlo Gorni
   Peter Lewis
   William Pooler
   Elaine Sheppard
   Murray Thompson

b) That the City Solicitor be directed to prepare a By-law to amend By-law No. 94-185 to include a definition of the term "ratepayer" as referenced in Section 40(2) of said By-law, such definition to encompass both property owners and tenants.

Respectfully submitted,

Mayor R. M. Morrow, Chairman
Nominating Committee

J. J. Schatz, Secretary
1998 January 27

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **THIRD** Report and respectfully recommends:

1. (a) That the concept of a Downtown Partnership and Downtown Visioning Workshop as set out in the attached document be approved; and

   (b) That the C.A.O.'s of the City of Hamilton and the Region of Hamilton-Wentworth report back with a proposed budget to support this initiative.

Respectfully Submitted,

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 January 27

DOWNTOWN PARTNERSHIPS & DOWNTOWN VISIONING WORKSHOP

A. VIDEO

- THE CHATTANOOGA STRATEGY - 11 MINUTES

B. DOWNTOWN PARTNERSHIP BOARD

1.
- MEMBERSHIP OF 13 TO BE SELECTED BY THE MAYOR AND THE REGIONAL CHAIRMAN
- MEMBERSHIP OF 15 TO INCLUDE BOTH THE MAYOR AND THE REGIONAL CHAIRMAN

2. DOWNTOWN CO-ORDINATOR

- TO BE FUNDED FOR 5 YEARS JOINTLY BY THE CITY AND THE REGION
- ROLES AND RESPONSIBILITIES TO BE FINALIZED AT THE WORKSHOP
- TO BE HIRED BY THE DOWNTOWN PARTNERSHIP BOARD

3. DOWNTOWN PARTNERSHIP BOARD

- RELATIONSHIP WITH CITY COUNCIL AND REGIONAL COUNCILS
- DECISION-MAKING ROLE (SEE ATTACHED)
- ADVISORY ROLE (SEE ATTACHED)

C. WORKSHOP

- FRIDAY, FEBRUARY 27, 1998 - TOWN HALL MEETING

- SATURDAY, FEBRUARY 28, 1998 - WORKSHOP

1. SETTING THE STAGE FOR ACTION
- REMARKS BY KEY COMMUNITY LEADERS

2. DEVELOPMENT WORKSHOP THEMES

3. PARTICIPANTS BREAK OUT INTO FOCUS GROUPS

4. REPORTS FROM THE FOUR FOCUS GROUPS

5. DEVELOPMENT OF AN ACTION PLAN

Downtown Partnership

1. *Decision-Making Role*

a) develop a Downtown marketing program, in coordination with the BIAs and the Region's Economic Development Office;

b) develop an investor's prospectus for investments in residential, commercial or mixed-use property development (focussing on servicing needs, development costs, "permitting", cost of doing business, potential lease revenues, etc.);

c) develop a venture-capital fund to permit business expansions and conversions and to enable investors to invest directly in downtown businesses and properties;

d) with the support of the BIA's, engage in local and out-of-town tenant recruiting in keeping with the downtown marketing program (eg. software development, design studios, targeted types of retailing, call-centre locations, etc.);

e) bring together land-owners, property owners and development interests on a block-by-block or street-segment basis, to identify potential for land assembly and redevelopment opportunities;

f) solicit private-sector, foundation, and senior-level government funding for its programs and activities; and,

g) recruit and direct a Downtown Coordinator.

2. *Advisory Role*

a) prior to Committee and Council consideration, to advise on the size, content and priority of the Downtown capital works budgets of the City of Hamilton and the Region on Hamilton-Wentworth;

b) prior to Committee and Council consideration to advise on the size and focus of the annual budget for streetscaping and maintenance activities of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth;

c) prior to Committee and Council consideration to advise on general and special planning and development documents and proposals being considered by the City of Hamilton and the Regional Municipality of Hamilton-Wentworth;

d) prior to formal municipal decisions, to advise on parking policy, transit programs, local traffic issues and community recreation and culture programs affecting the Downtown;

e) identify and propose measure to promote linkages between the Downtown and the Harbour; and,

f) in support of both its decision-making and advisory mandates, the Downtown Partnership will appear before Standing Committees of Hamilton City Council and Hamilton-Wentworth Regional Council to advocate its viewpoint and to promote its views with local media and community leaders.

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Hamilton City Council
Tuesday, 1998 February 10
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL
FEB 23 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor Morrow called the meeting to order.

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The National Anthem was played.

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Pastor Ivars Gaide, Christ Lutheran Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Recognition to the following people, organizations and/or companys who contributed to the ice storm relief effort in Eastern Ontario and Quebec:

Roy Green and CHML
The Hamilton Spectator
Len Van Geest
E. D. Smith & Sons Ltd.
Harold Marcus Limited
St. John Ambulance
The Salvation Army
Braun Nurseries
Hamilton Hydro-Electric System
705 Communications Squadron
11 Field Artillery Regiment (11 Battery)
Fluke Transport
Chris Ecklund
Proctor & Gamble Inc.
Cormar Contracting
Philip Services Corp.
Red Cross Society
Armed Forces - Hamilton Units
Connon Nurseries -AVK
Maple Leaf Tree Farm
23 (Hamilton) Service Battalion
Ontv
Keith and Sunny Francis
CAA South Central Ontario
Crescent Oil of Canada Ltd.
Echo Springs Water Co.
H.E.C.F.I.
Connon Nurseries -CVK
V Kraus Nurseries
Team 1-Environmental Services
Connon Nurseries -NVK

Canadian Centre for Emergency Preparedness
Royal Hamilton Light Infantry (Wentworth Branch)
Argyll & Sutherland Highlanders of Canada (Princess Louise's)
Employees of the City of Hamilton Purchasing Department; Public Works and Traffic; Planning and Development Department, and the Hamilton Fire Department, Mayor's Office, City of Hamilton,

* * * * * * * * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Mr. Guido Ricca in recognition of being awarded the title of "Cavaliere" by the President of the Republic of Italy.

ADOPTION OF MINUTES

The minutes of the meeting held 1998 January 27 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1998 January 26 from the Hamilton Harbour Commissioners respecting a Memorandum of Agreement.

   Referred to the Finance and Administration Committee

2. Memorandum dated 1998 February 5 from J. J. Schatz, City Clerk Re: 1997 Municipal Election Financial Reporting Requirements.

   Received.

3. Application dated 1998 February 2 from 1215443 Ontario Inc., Michael Bobiash, 133 Park Street West, Dundas, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for 243 Fennell Avenue East, Hamilton, Ontario.

   Received.

4. Letter dated 1998 January 28 from the Honourable David M. Collenette, P.C., M.P., Minister of Transport respecting Bill C-9.

   Received.

5. Letter dated 1998 February 6 from R. Scott Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners respecting their Five Year Capital Budget and Projected Cash Flow.

Referred to the Finance and Administration Committee

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

Section 21 Re: Declaration of Interest - Alderman Wilson

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is an employee of a subsiduary Company of Bell Canada.

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Section 21 Re: International Media Advertising Inc. and Bell Canada - Advertising Panels

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Copps. -1. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - THIRD REPORT

Section 3 Re: Wesley Urban Ministries - 195 Ferguson Avenue (Drop in Centre)

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FIFTH REPORT

Section 11.(b) (ix) Re: Staggering of terms of office for Citizen Members on City Committees, Local Boards and Commissions.

It was moved by Alderman Collins and seconded by Alderman Charters that Section 11(b)(ix) of the FIFTH Report of the Finance and Administration Committee for 1998 respecting the staggering of terms of office for Citizen Members on City Committees, Local Boards and Commissions, be deleted and replaced with the following:

(b) (ix) That membership on all City Committees, Local Boards and Commissions, with the exception of the Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited, and those whose terms of office are established by provincial or federal legislation, be staggered with one third of its Citizen Members' terms of office expiring each year. **CARRIED.**

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Section 17 (d) **Re: Bill D-13: A By-law to Expropriate Land for Highway and Municipal Purposes for the completion of Elmore Drive**

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill respecting Expropriation for Lands to complete the extension of Elmore Drive. **CARRIED.**

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Section 17 (d) **Re: Bill D-13: A By-law to Expropriate Land for Highway and Municipal Purposes.**

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the attached Bill D-13 be added to Section 17 of the FIFTH Report of the Finance and Administration for 1998 as follows:

"(d) D-13 A By-law to Expropriate Land for Highway and Municipal Purposes to complete the extension of Elmore Drive."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, O'Sullivan. -16.

NAYS: Alderman Kelly. -1. **CARRIED.**

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Section 17 (e) **Re: Bill D-14: A By-law to Authorize the Roadway Reconstruction Debenture Program**

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill respecting the Roadway Reconstruction Debenture Program. **CARRIED.**

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Section 17 (e) **Re: Bill D-14: A By-law to Authorize the Roadway Reconstruction Debenture Program.**

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the attached Bill D-14 be added to Section 17 of the FIFTH Report of the Finance and Administration for 1998 as follows:

"(e) D-14 A By-law to Authorize the Roadway Reconstruction Debenture Program." **CARRIED.**

NOMINATING COMMITTEE - THIRD REPORT

COMMITTEE OF THE WHOLE - FOURTH REPORT

Section 1 Re: Opening of Retail Outlets selling beverage alcohol on Sundays. Declaration of Interest - Alderman Haining

Alderman Haining declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Haining is an employee of the Brewers Retail.

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Section 3 Re: Provincial Downloading of the Large Urban Mayor's Caucus of Ontario

It was moved by Alderman Wilson and seconded by Alderman Copps that Section 3 of the Fourth Report of the Committee of the Whole for 1998 be amended to read:

"That the City of Hamilton endorse the resolutions regarding Provincial Downloading of the Large Urban Mayor's Caucus of Ontario of February 5, 1998, of the Special Meeting of the Association of Municipalities of Ontario of February 6, 1998, and the proposal from representatives of the City of Toronto requesting Provincial funding for the phase-in towards province-wide commercial, industrial and education tax rates."

CARRIED.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:50 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 February 10
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That the existing "Permit Parking" regulation on the west side of Tragina Avenue South commencing at a point 25 feet north of Central Avenue and extending to a point 29 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

2. (a) That a "Permit Parking" regulation be implemented on the south side of Burton Street commencing at a point 199 feet east of Douglas Street and extending to a point 16 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Louis Amorim, No. 114 Burton Street.

3. (a) That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Murray Street East commencing at a point 37 feet east of James Street North and extending to a point 46 feet easterly therefrom be removed; and,

   (b) That the existing "Permit Parking" regulation on the south side of Murray Street East commencing at a point 83 feet east of James Street North and extending to a point 72 feet west of Hughson Street North be shortened such that the regulation commences at a point 128 feet east of James Street North and extends to a point 72 feet west of Hughson Street North; and,

   (c) That three one-hour parking meters be installed on the south side of Murray Street East commencing at a point 37 feet east of James Street North and extending to a point 65 feet easterly therefrom; and,

   (d) That the City Traffic By-law No. 89-72 be amended accordingly; and,

(e) That the maximum number of permits to be issued to residents of Murray Street East between James Street North and Hughson Street North be reduced from seven to six.

4. That a "No Stopping" corner clearance be implemented on the east side of High Street commencing at Fennell Avenue East and extending to a point 41 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

5. That southbound traffic on Cottage Avenue be required to stop for eastbound and westbound traffic on Orchard Hill, and that the City Traffic By-law No. 89-72 be amended accordingly.

6. That eastbound and westbound traffic on Iona Avenue be required to stop for northbound and southbound traffic on Brodick Street/Yarmouth Court, and that the City Traffic By-law No. 89-72 be amended accordingly.

7. That westbound traffic on Robespierre Court be required to stop for northbound and southbound traffic on Republic Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.

8. That a purchase order be issued to IBIS Products Limited, Scarborough, Ontario, for the supply and delivery of traffic paint as and when required during 1998 by the Public Works and Traffic Department, being the lowest of two bids received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the estimated expenditure of $225,000 be financed through the Pavement Markings Account No. CH56153 75999.

9. That a purchase order be issued to Canadian Roadway Products, North York, Ontario, for the supply and delivery of sign blanks as and when required during 1998 by the Traffic Division, being one of the lowest of five bids received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of $90,000 be financed through the Traffic Signs Materials Account No. CH56152 75999.

10. That a purchase order be issued to 3 M Canada Inc., London, Ontario, for the supply and delivery of sign sheeting as and when required during 1998 by the Public Works and Traffic Department, being the only bid received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the estimated expenditure of $450,000 be financed through the Traffic Signs Materials Account No. CH56154 75999.

11. That a full-time "Wheelchair Loading Zone" regulation be implemented on the south side of Albany Avenue commencing at a point 194 feet east of Robins Avenue and extending to a point 21 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

12. That the existing full-time "No Stopping, Wheelchair Loading Zone" regulation on the east side of Norman Street commencing at a point 107 feet north of Campbell Avenue and extending to a point 35 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

13. That a purchase order be issued to Fortran Traffic Systems Ltd., Toronto, Ontario, for the supply and delivery of pedestrian signal heads and vehicle signal heads required during 1998 by the Traffic Division, being the lowest acceptable bid received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of $200,000 be financed through the Traffic Signals Materials Account No. CH56152 75999.

14. That a purchase order be issued to USS Manufacturing Inc., Renfrew, Ontario, for the supply and delivery of traffic signal poles required during 1998 by the Traffic Division, being the lowest acceptable bid received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of $90,000 be financed through the Traffic Signals Materials Account No. CH56152 75999.

15. That the definition of "Commercial Vehicle" in the City Traffic By-law No. 89-72 be amended to include any motor vehicle which is being used for the purpose of loading or unloading goods or passengers, and which has attached to both of its sides, while such loading or unloading is taking place, a sign no smaller than 150 square inches, identifying the company in whose service the vehicle is employed.

16. (a) That Section 27 (a) of the Sixth Report of the Transport and Environment Committee for 1995, approved by Council on 1995 May 9, approving the location of an outdoor boulevard cafe at No. 554 James Street North, on the adjacent Wood Street road allowance, on a one year trial basis, be amended to delete the phrase "on a one year trial basis" and that Section 27 (c) of the Sixth Report of the Transport and Environment Committee for 1995 be amended to delete the clause "and that the approval be for a trial period ending 1995 October 31 at which time the issue will be reviewed"; and,

(b) That the Mayor and the City Clerk be authorized and directed to execute the Boulevard Cafe Agreement.

17. (a) That the City's "Flat Rate Fee" for the recovery of outstanding City of Hamilton municipal servicing costs along 0.30 metre reserves, be adjusted from the present rate of $330 per metre of property frontage and/or flankage to $337 per metre of property frontage and/or flankage for 1998; and,

(b) That the revised "Flat Rate Fee" be applied to all costs recovered in 1998 along 0.30 metre reserves after adoption of the proposed rate in sub-section (a) above.

18. (a) That the following City land be incorporated into the following streets:

Locheed Drive	Part 20	62R-14356
Rexford Drive	Parts 5 and 7	62R-10808
Highridge Avenue	Block "E"	M-162

(b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the City Solicitor and be enacted by Council; and,

(c) That the Commissioner of Transportation be authorized and directed to register the By-laws.

19. That a purchase order be issued equally to Intrex Inc., St. Albert, Alberta, and to Fortran Traffic Systems Ltd., Toronto, Ontario, for the supply and delivery of traffic signal controllers and associated equipment required during 1998 by the Traffic Division, being the acceptable bids received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of $500,000 be financed through the Traffic Signals Materials Account No. CH56152 75999.

20. That the City Traffic By-law No. 89-72 be amended to prohibit stopping within distances of up to 50 feet of any intersection, provided that suitable signs are erected and maintained.

21. That International Media Advertising Inc. (No. 95 Barber Greene Road, Suite 200, Don Mills, M3C 3E9) and Bell Canada (Bell Canada Payphone Service, No. 40 Noralco Drive, North York M9L 2X6) be permitted to install and maintain advertising panels and community service information, on both the interior and exterior of a maximum of 6 public payphones, measuring 0.81m x1.10m onto City Road Allowances, with the exception of areas within the downtown core, for a one (1) year trial period, subject to the following conditions:

    (a) That an Agreement be entered into, between the City of Hamilton, International Media Advertising Inc., and Bell Canada in a form satisfactory to the City Solicitor; and,

    (b) That the applicant(s) provide an alphabetical street name inventory, defining where all panels are placed on the road allowance and facilities; and,

    (c) That the applicant(s) provide $5,000,000 public liability insurance, naming the City and the Region as added insured parties, and saving the City and the Region harmless from all action, interests, claims, demands, costs, damages, expenses, and loss; and,

    (d) That the Mayor and the City Clerk be authorized and directed to execute the Agreement on behalf of the City; and,

    (e) That the applicant pay to the City 12.5 percent of Bell Canada's advertising revenues per panel, per year, credited to Unclassified Revenue Account Centre 75001; and,

    (f) That the term of the Agreement commence 1998 February 10, and terminate 1999 February 11; and,

    (g) That the content of the advertising be in a form acceptable to the City and that the applicant receive approval from the Commissioner of Transportation for new advertisements; and,

    (h) That the City retain the right to approve or reject any or all advertising; and,

(i) That the City Streets By-law No. 9329, be amended to permit non-accessory signs attached to public phone booths located on City streets; and

(j) That the installation of advertising panels in public payphones be subject to the approval of the Ward Aldermen in whose ward the advertising is proposed.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Alderman Copps. -1. **CARRIED.**

22. That the Commissioner of Public Works and Traffic be authorized to advertise the proposed road closure by-law for the closure of Mead Avenue to vehicular traffic at a point 230 meters east of the easterly limit of Parkdale Avenue.

23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-13 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

(b) A-14 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

(c) A-15 A By-law to Assume a One Metre Portion of the unassumed Lane which extends between Beulah Avenue and Miles Court, said Lane laid out upon Registered Plan 605, and to Close such assumed portion of Lane to vehicular traffic

(d) A-16 A By-law to Incorporate City Land Designated as Part 20 on Plan 62R-14356 into Locheed Drive

(e) A-17 A By-law to Incorporate City Land Designated as Parts 5 and 7 on Plan 62R-10808 into Rexford Drive

(f) A-18 A By-law to Incorporate City Land Designated as Block E on Plan M-162 into Highridge Drive

Respectfully Submitted,

ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson, Secretary
1998 February 2nd

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That approval be given to Amended Zoning Application ZAC-97-34, Frank Mulas, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "RT-20" - "H" (Townhouse-Maisonette - Holding) District, to permit the development of 9 townhouse units, for property located at 1126 Garth Street, as shown on the attached map marked as Appendix "A", on the following basis:

   (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands by introducing the holding symbol "H" as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the prospective owner applies for and receives approval of a Site Plan Control application.

   City Council may remove the "H" symbol, and thereby give effect to the rezoning and modified provisions as stipulated in this By-law, by enactment of amending By-law once the condition is fulfilled; and,

   (b) That the subjects lands be rezoned from "AA" (Agricultural) District to "RT-20" -"H" (Townhouse-Maisonette - Holding) District; and,

   (c) That the City Solicitor be directed to prepare a By-law to amend Zoning District Map W-27A for presentation to City Council; and,

   (d) That upon approval of the Zoning By-law amendment, the Gilbert Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Attached Housing"; and,

   (e) That the proposed change in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area.

2. (a) That approval be given to Zoning Application 97-40, McDonalds Restaurants of Canada, prospective owner, for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, to permit additional parking in conjunction with a proposed restaurant use at Nos. 787-791 Barton Street East, for lands located at No. 184 Lottridge Street, as shown on the attached map marked as Appendix "B", on the following basis:

(i) That the subject lands be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified; and,

(ii) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14. of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances, as special requirements:

(1) That notwithstanding Section 18A(36)(b) a distance not less than 1.5 m shall be provided and maintained between a residential district and the parking area used in conjunction with a restaurant; and,

(2) That notwithstanding Section 18A(36)(b) a distance of not less than 7.5 m shall be provided and maintained between a residential district and the manoeuvring area and the access driveway used in conjunction with a restaurant; and,

(3) That notwithstanding Section 18A(36)(c) a landscaped area of not less than 3.5 m in width shall be provided and maintained along and within the westerly lot line abutting Lottridge Street; and,

(4) That no access shall be permitted from Lottridge Street; and,

(iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1396, and that the subject lands on Zoning District Map E-32 be notated S-1396; and,

(iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-32 for presentation to City Council; and,

(v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

(b) That upon finalization of the implementing Zoning By-law, the subject lands be redesignated from "Single and Double Residential" to "Commercial" in the Approved Stipeley Neighbourhood Plan; and,

(c) That Schedule "A" to Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be further amended by adding the lands located at No. 184 Lottridge Street, and that the City Solicitor be directed to prepare a Site Plan Control By-law for presentation to City Council.

3. That the City of Hamilton inform Wesley Urban Ministries that due to the criteria and costs associated with the relocation of the Drop in Centre at No. 195 Ferguson Avenue North, the City is unable to assist in its relocation.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

4. That Section 3 of the Second Report of 1998 of the Planning and Development Committee, as approved by Council on 1998 January 27 be amended as follows:

(a) Section 3(c)(i) be deleted and replaced with the following:

"That notwithstanding Section 9A(2)(c)(1), a minimum average lot width of 9.0 m shall be permitted; and,"

(b) Section 3(d)(i) be deleted and replaced with the following:

"That notwithstanding Section 9(4), a minimum lot width of at least 11.43 m and a minimum lot area of 318.0 m^2 shall be permitted; and,"

5. That the City's Site Plan Agreement Policy requiring the provision of a registered easement in favour of the City be relaxed entirely where site access provisions, satisfactory to the City Solicitor, are included within the Registered Site Plan Agreement and where no encumbrances are registered in priority to the City's Site Plan Agreement.

6. (a) That reductions of security held under Site Plan Agreements be permitted to an amount equal to the total value of the works outstanding, but not less than 10% of the total value of the works required under the Agreement; and,

(b) That reductions be dealt with on a request basis; and,

(c) That a Two Hundred Dollar ($200) administration fee be levied by the Building Commissioner for each security reduction request; and,

(d) That reduction requests be reviewed and processed by the Building Department upon the production by the Applicant, at the Applicant's sole expense, of an Engineer's Certificate, satisfactory to the Building Commissioner, which indicates:

(i) a description of what works have been completed; and,

(ii) the percentage of the total value of the works under the Site Plan Agreement that have been completed to date; and,

(iii) that the amount of security remaining with the City is sufficient to cover the remainder of the work required under the Site Plan Agreement; and,

(e) That the City's Site Plan Agreement be revised accordingly; and,

(f) That the above changes to the City's Site Plan Policy be implemented so as to be retroactive to all Site Plan Agreements on a request by the owner basis.

7. That Schedule "A" and "B" of By-law No. 87-308, as amended, appointing the Barton Village B.I.A.'s Board of Management be repealed and the following names be substituted:

SCHEDULE "A"

Alderman B. Morelli
Alderman D. Haining

SCHEDULE "B"

Dimitri Boukhers	Farah's Foodmart (tenant)
Jody Hendry	Hendrys Family Shoes (nominated by owner)
Terry Franceour	Mugsy's Place (nominated by owner)
Sandra Manners	Westinghouse Canada Inc. (nominated by owner)

John Hilger	Ways to Wisdom (owner)
John Howard	Econ-o-wash Laundry (owner)
Paul Nusca	Nusca Custom Tailors Ltd. (owner)
Marco Tollis	Riviera Banquet Centre (owner)
Nick LaSala	Nick's Auto Service (owner)
Robert Palmese	Palmese Photodesign Group Inc. (owner)

8. (a) That the 1998 operating budget for the Barton Village B.I.A., attached hereto as Appendix "C", be approved in the amount of thirty thousand dollars ($30,000); and,

(b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O., 1990, to levy the 1998 budget referenced in (a) above; and,

(c) That the following schedule of payments for 1998 be approved:

February 01	$7,500
March 01	$7,500
June 01	$7,500
September 01	$7,500

NOTE: 1997 levy arrears will be deducted from the payment for 1998.

9. (a) That approval be given to revised Subdivision Application (Regional File No. 25T-91007(R)), 900074 Ontario Inc. (Gordon Construction Company), owner, to establish a draft plan of subdivision "James Mount Gardens", on lands located at 1451-1471 Upper James Street and south-east of DiCenzo Drive, in the Ryckmans Neighbourhood, as shown on the attached map marked as Appendix "D" subject to the following conditions:

(i) That this approval apply to the plan as revised in red, prepared by Planning and Engineering Initiatives Ltd. and certified by B.A. Jacobs, O.L.S., dated May 7, 1997, showing 13 lots for two family dwellings (Lots 1-13), 1 block to be developed in conjunction with adjacent lands for a two family dwelling (Block 21), 2 blocks to be developed in conjunction with the adjacent lands for street townhouses (Blocks 19 and 20), 6 blocks to be developed with the adjacent lands for single detached dwellings (Block 22 and Blocks 26-30, inclusive,), 5 blocks for street townhouses (Blocks 14-18), 1 block for commercial development (Block 23), 2 blocks for 0.3 m reserves (Blocks 24-25), and 3 streets identified

as Street "A", Street "B" and DiCenzo Drive Extension, attached as Appendix "D"; and,

(ii) That the Owner establish the following Streets to their full width and that these lands be conveyed to the City of Hamilton prior to registration of the final plan of subdivision to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department:

(1) Regina Drive from Upper James Street to the extension of DiCenzo Drive; and,

(2) DiCenzo Drive be established and constructed northerly from Regina Drive to connect to the existing DiCenzo Drive; and,

(3) Street "A" from the DiCenzo Drive Extension to the south-easterly limits of the draft plan; and,

(4) Street "B" from the southerly limits of the draft plan to Street "A"; and,

(iii) That the applicant/owner purchase lands shown as Parts 1 and 4, on Reference Plan 62R-12942, from the City of Hamilton and fulfil all the conditions of Offer to Purchase as stated in Item No. 27 of the 5th Report of the Transport and Environment Committee approved by City of Hamilton Council on April 11, 1995 prior to registration of the first phase of development; and,

(iv) That Parts 1 and 4 on Reference Plan 62R-12942 be developed only in conjunction with lands at Nos. 1451 and 1471 Upper James Street and that Parts 1 and 4 on Reference Plan 62R-12942 be included in the final plan of subdivision for "James Mount Gardens"; and,

(v) That the applicant/owner pay to the City of Hamilton and/or the Regional Municipality of Hamilton-Wentworth one-half of the costs for the construction of Regina Drive adjacent to Parts 1 and 4 on Reference Plan 62R-12942 excluding oversizing costs; and,

(vi) That the extension of DiCenzo Drive align centreline to centreline with DiCenzo Drive as established by Plan 62M-689 at the north end and Parts 2 and 4 on Reference Plan 62R-12821 at the south end of the draft plan; and,

(vii) That the construction of Regina Drive from Upper James Street to DiCenzo Drive to its full width must be included in the first phase of development of this draft plan and the construction of DiCenzo Drive from Regina Drive to the existing DiCenzo Drive at the north limits of the draft plan must be included with the first phase of development which includes any residential development; and,

(viii) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of the subject lands; and,

(ix) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,

(x) That the owner prepare and submit a phasing plan to the satisfaction of the Manager, Traffic Planning, Department of Public Works and Traffic and the Commissioner, Regional Environment Department; and,

(xi) That Streets "A" and "B" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,

(xii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,

(xiii) That the final plan conform with the Zoning By-law approved under the Planning Act; and,

(xiv) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,

(xv) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,

(xvi) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,

(xvii) That the applicant prepare and implement an erosion and sediment control plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the City of Hamilton. The approved plan will include the following:

(1) All erosion and sediment control measures shall be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,

(2) All erosion and sediment control measures shall be inspected after each rainfall and maintained to the satisfaction of the Authority Engineer; and,

(3) Any disturbed area not scheduled for further construction within 45 days shall be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,

(4) All disturbed areas shall be revegetated with permanent cover immediately following completion of construction; and,

(xviii) That the applicant prepare and implement a storm water management plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the City of Hamilton. This plan shall address water quality and quantity issues in accordance with current provincial guidelines and will ensure that post developments flows will equal pre-development levels; and,

(xix) That the Owner merge in title Blocks 19, 20, and 21 with Block 5 of Registered Plan 62M-689, to the satisfaction of the Director, Planning and Development Department and the City Solicitor; and,

(xx) That the Owner merge in title Block 22 with Lot 19 of Registered Plan 62M-689, to the satisfaction of the Director, Planning and Development Department and the City Solicitor; and,

(xxi) That the Owner merge in title Block 26 with Block 52 of Registered Plan 62M-689, to the satisfaction of the Director, Planning and Development Department and the City Solicitor; and,

(xxii) That the Owner agree in writing that Blocks 27 to 30, inclusive, will be developed in conjunction with the abutting lands; and,

(xxiii) That Blocks 27 to 30, inclusive, and Lot 5 not be registered until such time as Aquasanta Crescent has been extended southerly to provide road frontage for the development of Blocks 27 to 30, inclusive, to the satisfaction of the Director, Planning and Development Department and the City Solicitor; and,

(xxiv) That the owner shall carry out an archaeological assessment of the entire development property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading or other soil disturbances shall take place on the subject property prior to the City of Hamilton and the Ministry of Citizenship, Culture and Recreation confirming that all archaeological resources concerned have met licensing and resource conservation requirements; and,

(b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-91007(R)), 900074 Ontario Inc., owner, revised draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,

(c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,

(d) That approval be given to amended Zoning Application 97-24, 900074 Ontario Inc. Setay Investment c/o Mr Gordon Albini, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified, for Blocks "1" & "3"; from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District, for Block "2"; and from "RT-30" (Street-Townhouse) District to "D" (Urban Protected Residential -One and Two Family Dwellings, etc.) District modified, for Block "4", to permit development of the subject lands for Two Family Dwellings (Blocks "1", "3" and "4") and Street Townhouses (Block "2") for the property located at the rear lands of 1451-1471 Upper James Street and south east of DiCenzo Drive, shown on the attached map marked as Appendix "E", on the following basis:

(i) That Blocks "1" & "3" be rezoned from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District; and,

(ii) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District; and,

(iii) That Block "4" be rezoned from "RT-30" (Street-Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District; and,

(iv) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to Blocks "1", "3" and "4" be modified to include the following variance as a special provision:

(1) That notwithstanding Section 10.(4)(ii), a two family dwelling shall provide and maintain a lot width of at least 16.0 m and an area of at least 515.0 m^2; and,

(v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1395, and Blocks "1", "3" and "4" on Zoning District Map E-9D be notated S-1395; and,

(vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,

(vii) That the approved Ryckmans Neighbourhood Plan be amended by realigning the road pattern and redesignating Block "2" from "Single and Double Residential" to "Attached Housing", and Block "4" from "Attached Housing" to "Single and Double Residential" upon finalization of the implementing By-law; and,

(viii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,

(e) That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding Block "21" and Lot "2" of Draft Plan of Subdivision for "James Mount Gardens" to Schedule "A".

10. That in respect of a proposed plan of condominium known as the "Bungalows at Chedoke", (located at Rice Avenue, near Chedmac Drive), which condominium received draft plan approval from Council at its meeting held on 1997 June 24, (Item 14, Tenth Report, Planning and Development Committee), the said approval be amended by adding the following:

(a) That approval also be given to Part-Lot Control Application 98-01, submitted by Bungalows at Chedoke Limited Partnership, represented by its General Partner, Pica Group Inc., the developer, for a By-law to remove part-lot control from those portions of the Condominium Plan described as Parts 1 and 2, on Reference Plan 62R-14417 as shown on the map annexed hereto and marked as

Appendix "F" , which portions are intended to be the subject of transfers of rights-of-way in favour of Chedoke Health Corporation, the owner of adjacent land; and,

(b) That the said By-law to lift part-lot control be restricted to a time period expiring on 1999 January 30; and,

(c) That once the City Clerk is notified that the said plan of condominium has been registered, the said By-law be presented to Council for enactment; and,

(d) That following enactment of the said By-law, The Regional Municipality of Hamilton-Wentworth, (as delegate of the Minister of Municipal Affairs), be requested to grant approval to the By-law and endorse its approval on the by-law; and,

(e) That after the said By-law is so approved, the developer be authorized to register the said By-law on title to the condominium plan; and,

(f) That the conditions of Condominium approval also include the following conditions:

(i) the developer be required, prior to registration of the condominium plan, to register on title to the condominium site and the adjacent land, an Agreement of Purchase and Sale, (conditional upon the said by-law or Committee of Adjustment Consent), to transfer the said rights-of-way to the owner of the adjacent Phase II lands; and,

(ii) the developer be required, following registration of the said by-law to lift part-lot control or following Committee of Adjustment Consent, to cause the new Condominium Corporation to transfer the said rights-of-way free and clear of all encumbrances to the owner of the adjacent Phase II land; and,

(iii) the developer agree to file with the City $15,000 security to be held until the developer's lawyer has certified to the City that these conditions have been fulfilled; and,

(iv) the City's Condominium Approval Agreement to be entered into with the developer shall include these conditions.

11. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-31 A By-law to Amend Zoning By-law 6593 Respecting Lands Located North of Mud Street, East of Mount Albion Road and West of the Municipal Boundary.

(b) C-32 A By-law to Amend Zoning By-law 6593 Respecting Land Located at Municipal No. 21 Brantdale Avenue.

(c) C-33 A By-law to Repeal Zoning By-law No. 98-27 Respecting Lands Located at Municipal No. 780 Upper Paradise Road.

(d) C-34 A By-law to Amend By-law No. 86-73 as Amended by By-laws No. 92-058 and 98-043 Respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.

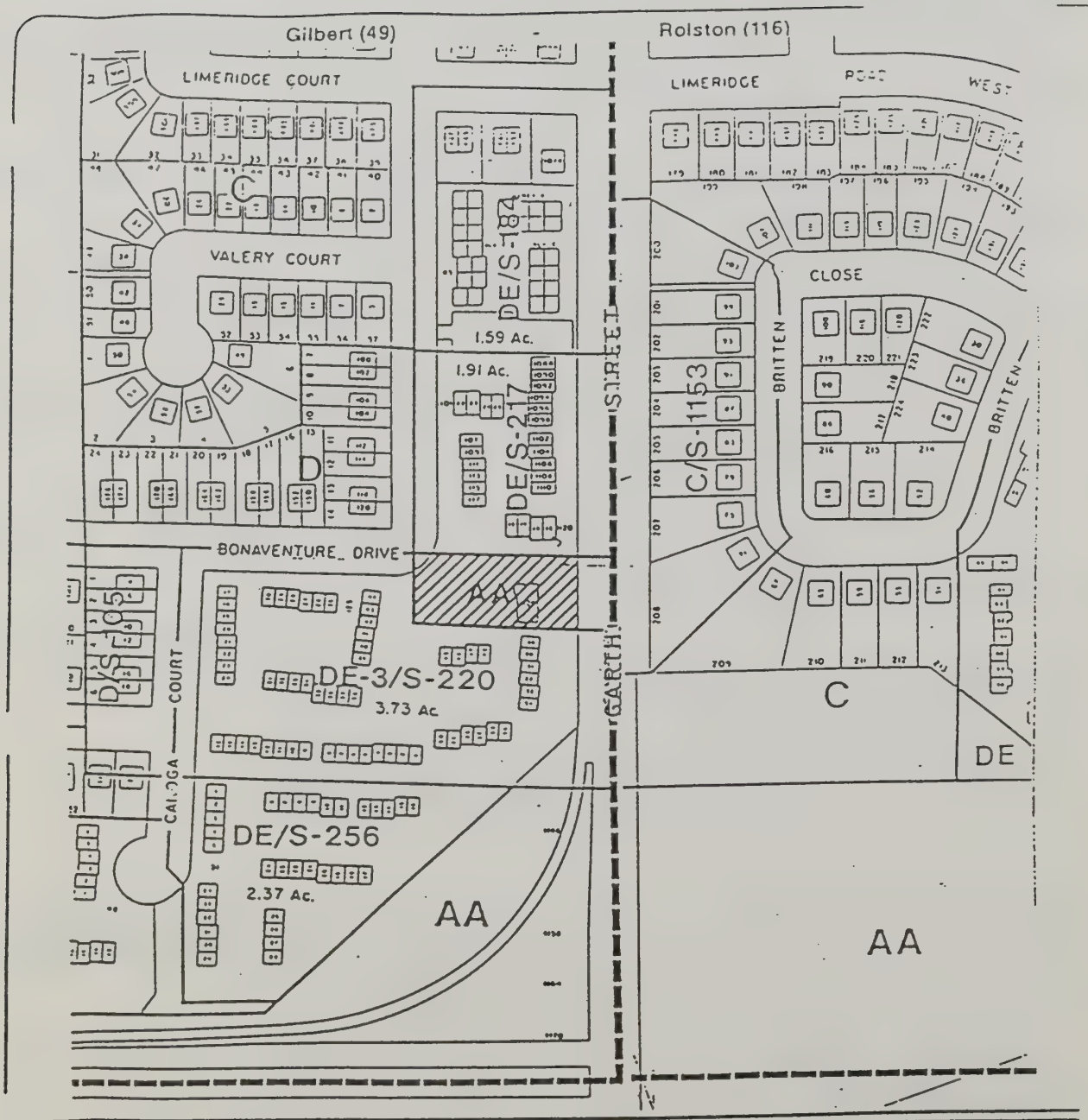
(e) C-35 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of Municipal Nos. 1451-1471 Upper James Street and South East of DiCenzo Drive.

(f) C-36 A By-law to Establish Site Plan Control Respecting Land Located at the Rear of 1451-1471 Upper James Street.

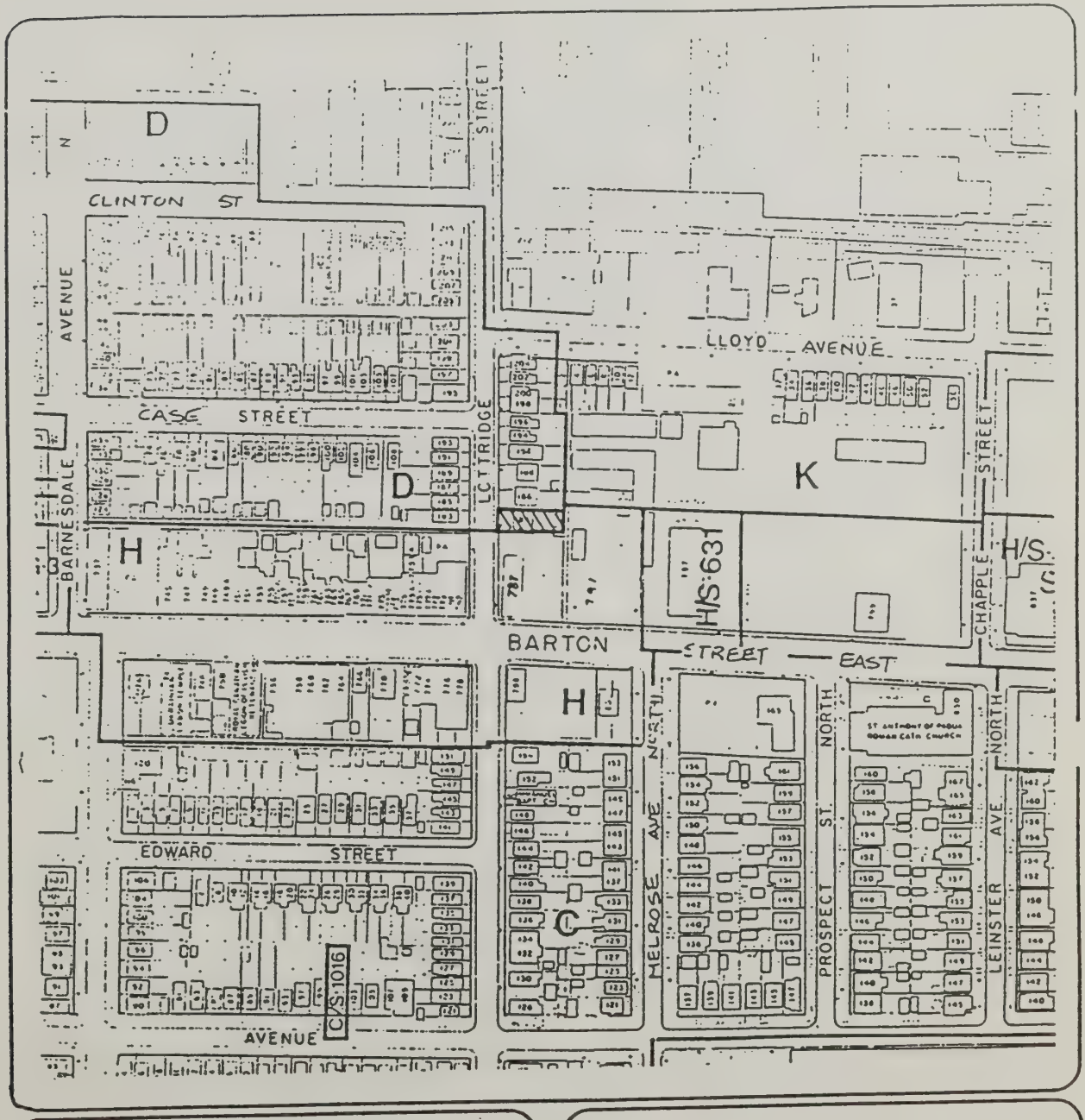
Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Stella Glover, Secretary
1998 February 4


Gilbert (49)
Rolston (116)
LIMERIDGE COURT
VALERY COURT
LIMERIDGE
ROAD
WEST
CLOSE
BRITTEN
BRITTEN
GARTH STREET
BONAVENTURE DRIVE
CALEDONIA COURT
DE/S-184
1.59 Ac.
1.91 Ac.
DE/S-217
C/S-1153
D/S-195
DE-3/S-220
3.73 Ac
DE/S-256
2.37 Ac.
AA
AA
AA
C
DE
D
Legend
Site of the Application
City of Hamilton
Location Map
Planning and Development Department
North
Scale
NOT TO SCALE
Reference File No
ZAC-97-34
Date
OCTOBER, 1997
Drawn By
R. L.

Appendix "B" referred to in Section 2(a) of the **THIRD** Report of the Planning and Development Committee for 1998



Legend

Site of the Application

City of Hamilton

Location Map

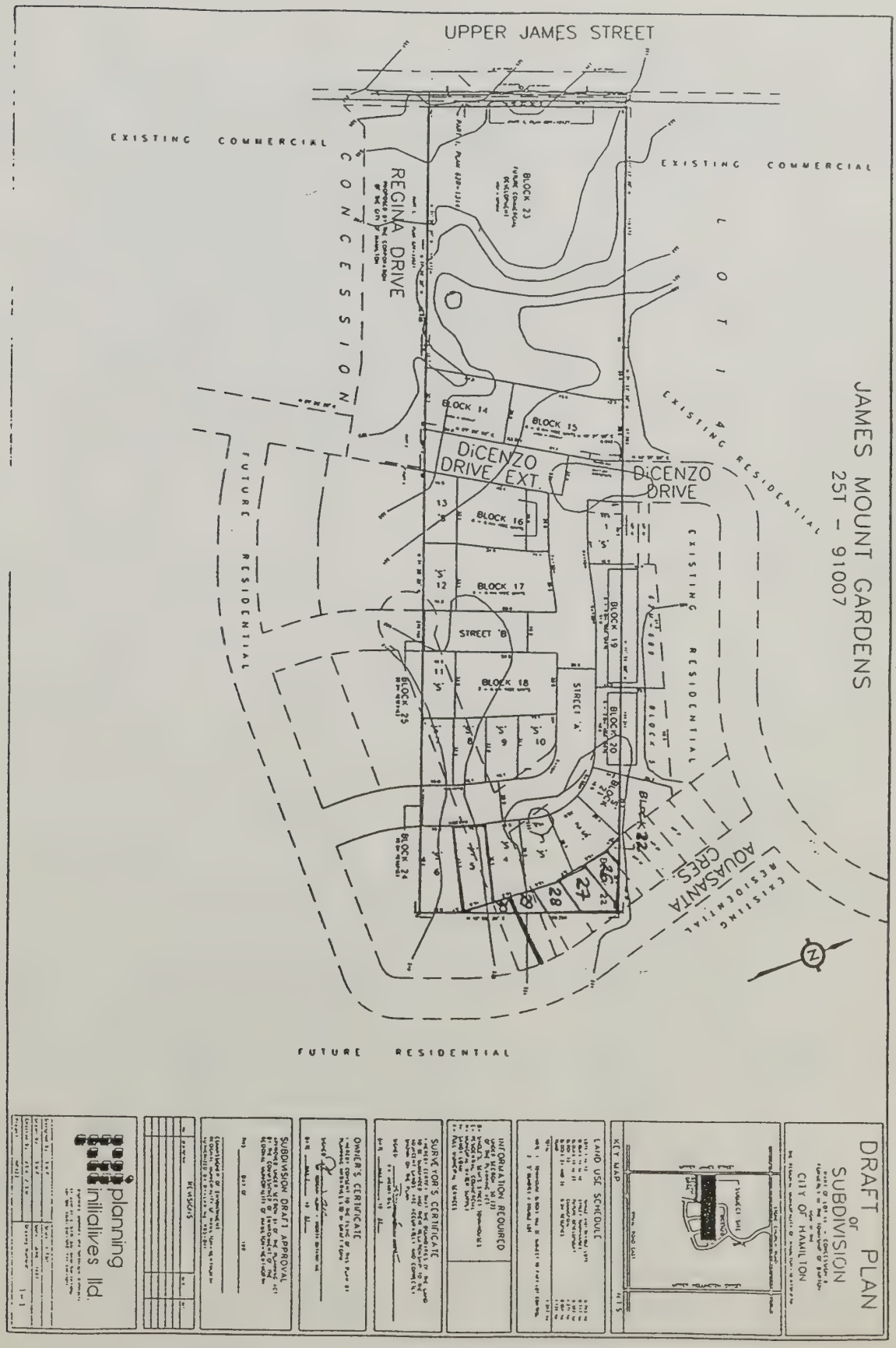
Planning and Development Department

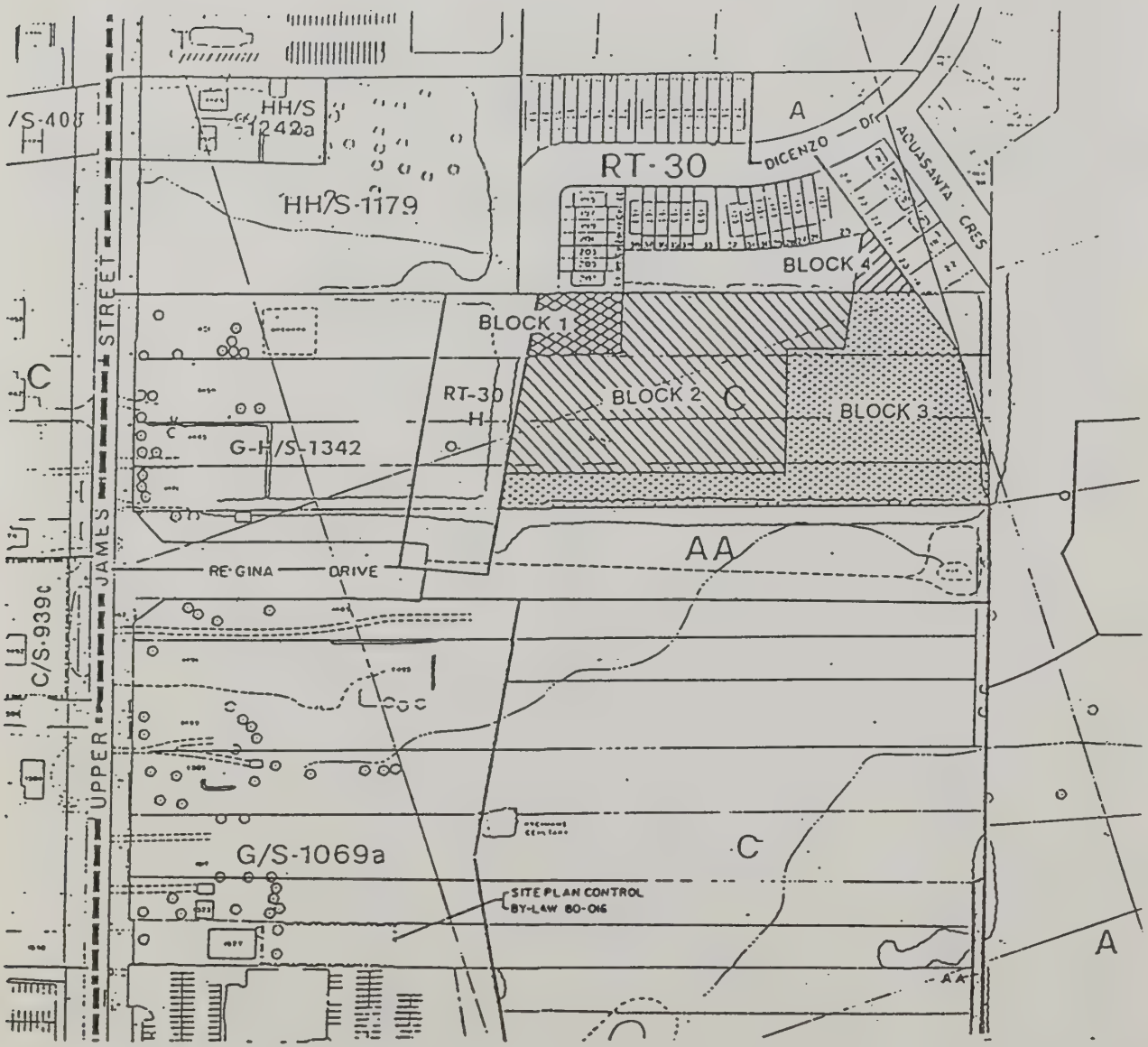
North	Scale	Reference File No.
	NOT TO SCALE	ZAC-97-40
	Date	Drawn By
	December, 1997	R.L.

BARTON VILLAGE BUSINESS IMPROVEMENT AREA'S (B.I.A.'S)

1998 OPERATING BUDGET

COMPONENTS		**AMOUNT**
Wages		$6,000.
Rent/Phone		$ 800.
Insurance		$ 810.
Hall Rental/Dinners (BIA Meetings)		$ 490.
Allowance for Uncollected Levies	$1,300.	
Statue Donation		$ 500.
Audit Fee		$ 400.
Administration/Office Equipment	$ 500.	
Christmas Decoration Installation/Removal	$1,000.	
Advertising		$6,000.
Special Events/Consultant Fees		$6,000.
Business Development Fund	$6,200.	
TOTAL		**$30,000.**


UPPER JAMES STREET
EXISTING COMMERCIAL
EXISTING COMMERCIAL
CONCESSION
REGINA DRIVE
LOTTI
EXISTING RESIDENTIAL
BLOCK 23
FUTURE CONVERSION RESIDENTIAL
BLOCK 14
BLOCK 15
DiCENZO DRIVE EXT.
DiCENZO DRIVE
BLOCK 16
BLOCK 17
STREET 'B'
BLOCK 18
BLOCK 25
BLOCK 19
BLOCK 20
STREET 'A'
BLOCK 21
BLOCK 22
BLOCK 24
26
27
28
AQUASANTA CRES.
EXISTING RESIDENTIAL
FUTURE RESIDENTIAL
FUTURE RESIDENTIAL
JAMES MOUNT GARDENS
25T - 91007
DRAFT OF SUBDIVISION PLAN
CITY OF HAMILTON
KEY MAP
LAND USE SCHEDULE
INFORMATION REQUIRED
SURVEYOR'S CERTIFICATE
OWNER'S CERTIFICATE
SUBDIVISION DRAFT APPROVAL
planning initiatives ltd.



Legend

Proposed change in zoning from:

BLOCK 1	"C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and two Family Dwellings, etc.) District, Modified.
BLOCK 2	"C" (Urban Protected Residential, etc.) District to "RT-30" (Street - Townhouse) District.
BLOCK 3	"C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and two Family Dwellings, etc.) District, Modified.
BLOCK 4	"RT-30" (Street - Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District Modified.

ZAC-97-24

Chedmac Drive
PROPOSED SEWER EASEMENT
PHASE TWO
PROPOSED SEWER EASEMENT
Rice Avenue
RICE AVENUE
LOT 6
REGISTERED PLAN M-71
LOT 5

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1998 and respectfully recommends:

1. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

236 Grenfell St.
491 Cannon St. E.
44 Nicklaus Dr.

(b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

2. (a) That approval be given to the actions taken by the City Clerk in purchasing a City of Hamilton table of 10, at a cost of $450, for the 60th Anniversary Annual Distinguished Citizen of the Year Award/The Hamilton Spectator 9th Annual Community Award/3rd Annual Recognition of Youth Achievement held at the Hamilton Convention Centre on Monday, 1998 January 26; and,

(b) That funding for this expenditure be charged to the Unclassified Account No. CH 55113 24201.

3. That as referred to in Section 12 of the Second Report for 1998 of the Planning and Development Committee approved by City Council on 1998 January 27th, the cost to hire an appraiser to make a professional evaluation of Bellevue, the designated property at 14 Belvidere Avenue, Hamilton up to an amount not to exceed $3,000, be charged to the Planning and Development Department 1998 Current Budget.

4. That as referred to in Section 17 of the Second Report for 1998 of the Parks and Recreation Committee, approved by City Council on 1998 January 27th, the upset limited of $12,600 as the cost of the Project by the Consultant residing at the Glen Manor be incorporated within the 1998 Budget Centre CH 62222, and that an appropriate Revenue Budget be established for the interest to be earned from the Veever's Estate.

5. (a) That an amount of $2,625.80 be approved for the Hamilton Corporate Challenge to be used for the cost of entering and sponsoring two teams (a total of 40 City of Hamilton employees) to take part in the Hamilton Corporate Challenge organized by the Hamilton and District Chamber of Commerce on Sunday, 1998 June 14 at Christie Conservation Area; and,

   (b) That the funding for this expenditure be financed from the Unclassified Account number CH55120 24201.

6. (a) That the Commissioner of Public Works and Traffic be authorized and directed to purchase and erect an aluminum portable fence to protect the property at 363 Wellington Street North from unauthorized access to a maximum amount of $16,000; and,

   (b) That the Commissioner of Public Works and Traffic retain the portable fence for events across the City after it is no longer required around this site; and,

   (c) That the cost to purchase and erect an aluminum portable fence to protect the property at 363 Wellington Street North at an amount not to exceed $16,000 be charged to Plastimet Fire - Public Works and Traffic Department Cost - Account No. CF 5200-2590 55002.

7. That the Mayor, the Chairman of the Finance and Administration Committee or his designate, and five members of City Council be authorized to attend the 61st Annual Conference of the Federation of Canadian Municipalities to be held in Regina, Saskatchewan on 1998 June 5 - 8.

8. That a purchase order be issued to Robert Slessor Pontiac Buick, Grimsby in the amount of $163,235.60, including all applicable taxes, for the replacement of four (4) Crew Cabs with Moffatt Stake Dump Bodies #9240, 9394, 9304, and 9389 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649651019.

9. That a purchase order be issued to Robert Slessor Pontiac Buick, Grimsby in the amount of $229,459.50, including all applicable taxes, for the replacement of five (5) Crew Cabs with Moffatt Aluminum Dump Bodies #9270, 9374, 9274, 9239 and 9269 for Fleet Services, being the lowest acceptable tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649651019.

10. (a) That the Corporation of the City of Hamilton rent an excess Zamboni to the City of Toronto, for the amount of $350 per week including all applicable taxes for the remainder of the ice-cutting season; and,

    (b) That a Bylaw to authorize the rental of the Zamboni to the City of Toronto, be enacted; and,

    (c) That the Mayor and the City Clerk be authorized to execute a rental agreement in a form satisfactory to the City Solicitor.

11. (a) That the policy respecting the appointment of Citizen Members to City Committees, Local Boards and Commissions as adopted by City Council on 1992 September 29 be rescinded; and,

    (b) That the following revised policy respecting the appointment of Citizen Members to City Committees, Local Boards and Commissions be adopted:

        (i) That information on how to become a Citizen Member of City Committees, Local Boards and Commissions be included in the Municipal Handbook, copies of which are available to the general public from the City Clerk's Department; and,

        (ii) That the City Clerk's Department be directed to advertise all Citizen Member vacancies on City Committees, Local Boards and Commissions, in The Hamilton Spectator; and,

(iii) That the City Clerk's Department notify all City Committees, Local Boards and Commissions of Citizen Member vacancies as they arise; and,

(iv) That ethno-cultural communities, organizations representing the disabled, the Native Indian Centre, women's groups, and all other organizations or individuals upon request, be notified of Citizen Member vacancies on City Committees, Local Boards and Commissions by the City Clerk's Department; and,

(v) That the City Clerk's Department send notice of all Citizen Member vacancies on City Committees, Local Boards and Commissions to ethnic media in the Hamilton area requesting their assistance in passing this information on to as many interested citizens as possible, at no cost to the City; and,

(vi) That all City Committees, Local Boards and Commissions that report to a Standing Committee or City Council, be requested to circulate their notice of meetings to the media; and,

(vii) That all City Committees, Local Boards and Commissions be encouraged to hold some meetings in various facilities outside of City Hall and invite persons of those neighbourhoods to attend; and,

(viii) That Citizen Members of City Committees, Local Boards and Commissions, who miss three consecutive meetings without Committee approval, be subject to replacement on that Committee, Local Board or Commission; and,

(ix) That membership on all City Committees, Local Boards and Commissions, with the exception of the Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited, and those whose terms of office are established by provincial or federal legislation, be staggered with one third of its Citizen Members' terms of office expiring each year. **REPLACED.**

(x) That a standard Application Form and Tracking Form, attached hereto and marked as Appendix "A", be adopted for use by citizens applying for membership on City Committees, Local Boards and Commissions; and,

(xi) That the following process for applying, interviewing and selecting Citizen Members to serve on City Committees, Local Boards and Commissions be adopted:

(1) Applicants must attend a mandatory Orientation Session co-ordinated by the City Clerk's Department, the purpose of which will be to describe the work of the various City Committees, Local Boards and Commissions; and,

(2) The City Committees, Local Boards and Commissions will be required to:

(aa) Provide written material outlining the scope of their Committee, Local Board or Commission, the time commitment required and the qualifications necessary; and,

(bb) Arrange for a representative (either a Committee, Local Board or Commission Member or Staff) to attend the Orientation Sessions to make a brief presentation on the Committee, Local Board or Commission and to answer any questions applicants may have; and,

(3) Applicants will be offered a choice of at least three (3) dates for the mandatory Orientation Sessions; and,

(4) All applicants will be required to attend one of the mandatory Orientation Sessions unless they are applying for renewal of their present appointment. Applicants who do not attend one of the mandatory Orientation Sessions will not be considered for appointment; and,

(5) Application Forms and Tracking Forms can be obtained by applicants following their attendance at one of the mandatory Orientation Sessions, save incumbents, who, if applying for renewal of their present appointment, are not required to attend an Orientation Session, and can obtain an Application Form and Tracking Form from the City Clerk's Department; and,

(6) Applicants can apply for membership on no more than two (2) City Committees, Local Boards and Commissions at any given time; and,

(7) Completed Application Forms and Tracking Forms are to be returned to the City Clerk's Department by the application deadline date, as set out in the advertised Public Notice; and,

(8) A Selection Committee will be struck by City Council, the mandate of which will be to:

(aa) Review Citizen Member applications to City Committees, Local Boards and Commissions; and,

(bb) Interview applicants; and,

(cc) Make recommendations for the appointment of Citizen Members to the various City Committees, Local Boards and Commissions to the Nominating Committee or to the Standing Committee of City Council to which the Committee, Local Board or Commission reports; and,

The Selection Committee shall consist of:

(dd) A minimum of five (5) Members of City Council appointed annually by the Nominating Committee; and,

(ee) One representative of the Committee, Local Board or Commission to which the Citizen Member vacancy applies to serve as a non-voting resource person; and,

(9) Selection Committee interviews will be conducted as follows:

(aa) All applicants who attend a mandatory Orientation Session and submit a completed Application Form, as well as incumbents who have applied for renewal of their present appointment, will be interviewed by the Selection Committee; and,

(bb) All applicants will be notified in writing of their interview date and time by the City Clerk's Department; and,

(cc) The allotted time for each interview will be approximately ten (10) minutes; and,

(dd) An established set of interview questions will be developed by the various City Committees, Local Boards and Commissions with the assistance of the City Clerk's Department; and,

(ee) The City Clerk's Department will notify all applicants in writing once the appointments have been approved by the appropriate Standing Committee of City Council or the Nominating Committee; and,

(xii) That an Equitable Representation Survey of the City Committees, Local Boards and Commissions be conducted by the Human Resources Centre every three years, the first Survey of which was carried out in 1992.

12. (a) That the City resolve Ontario Court (General Division) Action # C14217/94 by the payment to the Plaintiff, Jacqueline Andall, of the sum of $23,040.95 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff, Jacqueline Andall, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # C14217/94 be dismissed without costs.

13. (a) That the City resolve Ontario Court (General Division) Action # 814/95 by the payment to the Plaintiff, Deborah Wey, of the sum of $65,000 inclusive of all claims for damages, interests and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 814/95 be dismissed without costs.

14. (a) That the City contribute the amount of its deductible under its Automobile Insurance Policy, namely $100,000, toward the resolution of Ontario Court (General Division) Action # 3968/86 wherein the Plaintiffs are John and Edna Hotrum; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 3968/86 be dismissed without costs.

15. (a) That the City resolve Ontario Court (General Division) Action # 2269/93 by the payment to the Plaintiffs, Katka and Ondrej Sroka, of the sum of $3,500 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 2269/93 be dismissed without costs.

16. (a) That the City contribute a lump sum of $3,500 toward the resolution of Ontario Court (General Division) Action # 36684/92; and,

(b) That the insurer for the Defendants Uniflo Enviro-Tech Inc.,/Uniflow Sewer Services Inc., take over the City's defence in this law suit, subject to arrangements satisfactory to the City Solicitor, including, but not limited to, a capping of the City's liability; and,

(c) That upon settlement, or other resolution, of the Action, the Plaintiffs and/or the Defendants Uniflo Enviro-Tech Inc.,/Uniflow Sewer Services Inc., be required to provide closing documentation in a form satisfactory to the City Solicitor.

17. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-10 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

(b) D-11 A By-law to Provide for: The Rental of a City Vehicle to the City of Toronto.

(c) D-12 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

(d) D-13 A By-law to Expropriate Land for Highway and Municipal Purposes to complete the extension of Elmore Drive. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, O'Sullivan. -16.

NAYS: Alderman Kelly. -1. **CARRIED.**

(e) D-14 A By-law to Authorize the Roadway Reconstruction Debenture Program. **ADDED.**

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 February 3

Appendix "A" referred to in Section 11 of the **FIFTH** Report of the Finance and Administration Committee for 1998

APPLICATION FORM

FOR CITIZEN APPOINTMENT TO

CITY COMMITTEES, LOCAL BOARDS AND COMMISSIONS

Please complete the attached Application Form and return to the Office of the City Clerk by the application deadline with a copy of your current resume of qualifications, work experience and any additional community involvement that may be relevant to the Citizen Member appointment to which you are applying for membership.

The City of Hamilton encourages all residents of the City of Hamilton to apply for membership on City Committees, Local Boards and Commissions.

Your co-operation is also requested in completing the attached Tracking Form. This information is for statistical purposes only and will assist the City in determining the successfulness of its existing outreach program as well as identifying any changes needed to promote fair appointment practices in the future.

Please note that the completion of the attached Tracking Form is **voluntary** and that the information obtained from this Form will be kept strictly **confidential**.

Applicants are requested to return the Tracking Form in the private and confidential envelope provided, at the same time the Application Form is returned to the Office of the City Clerk.

_____ Application Deadline

attached

APPLICATION FORM

1. Application for appointment to:

   1._____

   2._____

   (Please specify Committee, Local Board or Commission of interest - maximum of two. **Please note that if you are applying for membership on two Committees, Local Boards or Commissions, only one application form should be completed.)**

2. Name:_____

3. Home Address:

   _____

   _____

4. Postal Code: _____

5. Telephone Number(s): Home: _____

   Work: _____

6. Please state why you are interested in serving on this Committee/Board/Commission and what do you feel you can contribute? Please list related experience and/or interests.

   _____
   _____
   _____
   _____
   _____
   _____
   _____
   _____

7. How did you learn about this position:

   i. ___ Newspaper (please specify)
   _____

   ii. ___ Community Organization

   iii. ___ Brochure

   iv. ___ Radio/Television
   (please specify which program)

   v. ___ Word of Mouth

   vi. ___ Other (please specify)

8. Additional Information:

_____
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_____ _____
Signature Date

APPLICANTS ARE ENCOURAGED TO SUBMIT A RESUME

Your resume should not refer to any prohibited grounds of discrimination, i.e. race ancestry, place of origin, citizenship, creed, sex, sexual orientation, age, colour, ethnic origin, record of offenses, marital status, family status or handicap.

PLEASE RETURN TO: **City Clerk**
Hamilton City Hall
71 Main Street West
Hamilton, Ontario
L8P 4Y5

TRACKING FORM

Information requested on this form is gathered under Section 14 of the Ontario Human Rights Code.

Committee(s)/Board(s)/Commission(s) you have applied for:

_____ _____

(Only **one** Tracking Form to be completed even though you may have applied for two Committees/Boards/Commissions.)

Do you wish to complete this form any further?

Yes _____ (please continue) No _____

PLEASE COMPLETE EACH SECTION:

1. Are you: **Female** _____ **Male** _____

2. Are you a Native person (North American Indian, Status or Non-Status, Metis, Inuit)?
Yes _____ **No** _____

3. Please identify yourself as one of the following: (This refers to Race/Colour)

Black _____
(African, American Canadian)

East Asian _____
(Korean, Japanese, Chinese)

South Asian _____
(Indian, Pakistani)

South East Asian _____
(Cambodian, Filipino, Vietnamese)

West Asian _____
(Arab, Armenian, Egyptian, etc.)

Central/South American _____

Caribbean _____
(Cuban, Jamaican, Trinidadian, Haitian)

White _____ **Other** _____

4. **Disability**

For the purposes of employment equity, disability is defined as a long term physical, emotional/psychiatric or learning disability that may place a person at a disadvantage or that may interfere with work or personal activities.

Given this definition, do you consider yourself disabled?

No _____ **Yes** _____

Information requested on this form is gathered under Section 14 of the Ontario Human Rights Code and has been approved by the Ontario Human Rights Commission, September 1991.

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That the following citizens be appointed to serve on the Canadian Football Hall of Fame and Museum Management Committee:

Margaret Knill	(for a term to expire 1998 November 30)
Paul Curle	(for a term to expire 1999 November 30)
Jim Files	(for a term to expire 2000 November 30)
Mario Vespa	(for a term to expire 2000 November 30)

2. That the following citizens be appointed to serve on the City of Hamilton Licensing Committee for a term to expire 2000 November 30:

Don Drury
Nancie Mleczko

3. That the following citizens be appointed to serve on the Committee of Adjustment for a term to expire 2000 November 30:

Rick Cutler
Mark Dudzic
Donna Madden
David Serwatuk
Carlo Silvestri

4. That the following citizens be appointed to serve on the Hamilton Public Library Board for a term to expire 2000 November 30:

Mark Davies
Anne Gravereaux
Doreen Horbach
Dawna Petsche-Wark
Peter Rogers
Jim Sebastian

5. That the following citizens be appointed to serve on the Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited for a term to expire 2000 November 30:

Robert Kronas
Sergio Manchia
Susan Andrews
William Fuller

Respectfully Submitted,

Mayor R. M. Morrow
Chairman
Nominating Committee

J. J. Schatz, Secretary
1998 February 10

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FOURTH** Report for 1998 and respectfully recommends:

1. (a) That the Liquor Control Board of Ontario be advised that the Council of the Corporation of the City of Hamilton does not object to the opening of retail outlets selling beverage alcohol in the City of Hamilton on Sundays.

   (b) That Section 5 of the First Report of the Committee of the Whole adopted by City Council at its meeting held 1997 December 11 be rescinded.

2. That staff be directed to study further the inordinate financial impact upon municipalities with significant industrial/commercial assessment bases and report back to Council and area M.P.P.'s.

3. That the City of Hamilton endorse the resolutions regarding Provincial Downloading of the Large Urban Mayor's Caucus of Ontario of February 5, 1998, of the Special Meeting of the Association of Municipalities of Ontario of February 6, 1998, and the proposal from representatives of the City of Toronto requesting Provincial funding for the phase-in towards province-wide commercial, industrial and education tax rates.

   AMENDED.

4. That staff forward all pertinent information with respect to Provincial downloading and its impact on the City of Hamilton to area M.P.P.'s.

Respectfully Submitted,

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz
Secretary
February 10, 1998

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Hamilton City Council
Tuesday, 1998 February 24
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was sung by Central City Children's Choir.

* * * * * * * * * * * *

Father Marijan Mihokovic, Holy Cross Church (Croatian) led Council in prayer.

PRESENTATIONS

Mayor R. Morrow and Sheila Snider presented William McCulloch with a framed picture in appreciation of his hard work and dedication during his term of office as Chairman of the Business Improvement Area and Business Association Co-ordinating Committee. In attendance were Members of the following B.I.A.'s: Westdale Village, International Village, Downtown

Mayor R. Morrow presented a gold ring to former Alderman Wm McCulloch.

Mayor R. Morrow presented a Certificate of Recognition to Dino Nicosia, President, Empex Management Group.

ADOPTION OF MINUTES

The minutes of the meeting held 1998 February 10 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1997 January 26 from Imperial Oil, c/o P.O. Box 50, First Canadian Place, Toronto, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District for 649 Upper James Street, Hamilton, Ontario.

   Received.

2. Application dated 1998 February 6 from Chedoke Hospital Corporation, c/o Thomas E. Lazier, Lazier, Hickey, Langs & O'Neal, 25 Main Street West, Hamilton, Ontario for removal of the "H" Holding Provision - 60 Rice Avenue, Hamilton, Ontario.

   Received.

3. Application dated 1998 February 9 from 1210800 Ontario Limited, Darko Vranich, 636 Main Street East, Hamilton, Ontario for a further modification to the "E" (Multiple Dwellings Lodges, Clubs, etc.) District for 400 York Blvd. and for a change in zoning from "H" (Community Shopping and Commercial, etc.) District modified to "G-3" (Public Parking Lots) District for 16 Magill Street, Hamilton, Ontario.

   Received.

4. Application dated 1998 February 10 from 1023942 Ontario Inc., o/a Country Depot, 10 Dartnall Road, Hamilton, Ontario L8W 3N1 for a modification to the "M-13" (Prestige Industrial) District for property at 10 Dartnall Road, Hamilton, Ontario.

   Received.

5. Application dated 1998 February 16 from Ontario Pride Construction Ltd., 133 Park Street West, Dundas, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family, etc.) District to "DE" (Low Density Multiple Dwellings) District to permit the conversion of the existing building to 11 condominium apartment units (Block 1) and for a modification to the established "D" (Urban Protected Residential - One and Two Family, etc.) District to recognize the existing semi-detached dwellings (Block 2) for 30-36 Margaret Street, Hamilton, Ontario.

Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Report of His Worship Mayor R. Morrow, be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT

Section 21 Re: West Central Branch of the Ministry of the Environment - Amendment to Certificate of Approval No. A100145

It was moved by Alderman Collins and seconded by Alderman Charters that Section 21 of the FOURTH Report of the Transport and Environment Committee for 1998 respecting Amendment to Certificate of Approval No. A100145 be referred back.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps.-1. **CARRIED.**

PARKS AND RECREATION COMMITTEE - THIRD REPORT

Section 3 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson -1. **CARRIED.**

* * * * * * * * * * * * * * *

Section 13 Re: Declaration of Interest - Alderman F. D'Amico

Alderman Frank D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman D'Amico is an employee of the Royal Bank of Canada.

* * * * * * * *

Section 13(b) Re: Sale of an easement for a sanitary sewer across the Chedoke (Martin) Golf Course to Chedoke Terrance Inc.

It was moved by Alderman Morelli and seconded by Alderman Caplan that Section 13(b) of the THIRD Report of the Parks and Recreation Committee for 1998 respecting funds derived from the sale of the easement across Chedoke Golf Course be referred back.

Recorded vote on Section 13, as amended.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Kiss, Caplan, Copps. -3. **CARRIED.**

* * * * * * *

Recorded vote on Motion

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, O'Sullivan. -14.

NAYS: Aldermen Copps, Anderson.-2. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FOURTH REPORT

Section 2 Re: Rental Housing Protection Act - V. Silva - 29 Sherman Avenue South

It was moved by Alderman D'Amico and seconded by Alderman Copps that Appendix "B" referred to in Section 2 of the Fourth Report of the Planning and Development Committee for 1998 be amended by adding the attached page which was inadvertently omitted in the Planning and Development Committee Report. **CARRIED.**

* * * * * * * * * * * * * * *

Section 12 Rule No. 9 - Bill C-39 A By-law to Amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East.

It was moved by Alderman D'Amico and seconded by Alderman Copps that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill to amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East. **CARRIED.**

* * * * * * * * *

Section 12 Bill C-39 A By-law to Amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East.

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 12 of the FOURTH Report of the Planning and Development Committee be amended by adding sub-section (c) as follows:

C-39 A By-law to Amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - SIXTH REPORT

Section 11 Re: Grey Cup Audited Financial Statements

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

* * * * * * * * * * * * * * *

Section 17 Re: Composition of Hamilton Farmers' Market Sub-Committee

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Morelli, Haining, Wilson, Charters, Jackson, Anderson, Kelly, O'Sullivan. -10.

NAYS: Aldermen Kiss, Horwath, Corsini, Copps, Eisenberger, Collins, D'Amico. -7. **CARRIED.**

NOMINATING COMMITTEE - FOURTH REPORT

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - FIRST REPORT

Re: Report of His Worship Mayor R. M. Morrow
It was moved by Alderman Collins and seconded by Alderman Charters that the Report of the First Report of His Worhip Mayor Robert M. Morrow be referred to the Committee of the Whole meeting scheduled for Friday, 1998 February 27. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF MARCH, 1998

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman R. Corsini be appointed as Acting Mayor for the month of March, 1998. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

* * * * * * * * * * * *

City Council then adjourned at 9:00 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 February 24
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. That CleanSoils Ltd. be requested to provide the City of Hamilton with details of the Hamilton Harbour Commissioners lease to CleanSoils Ltd., for the site they occupy on Eastport Drive.

2. That the "No Parking" signs on the east side of Avondale Street between Barton Street East and Mons Avenue be retained, and that the City Traffic By-law No. 89-72 be amended accordingly.

3. That the existing full-time "No Parking" regulation on the south side of Everton Place commencing at Irving Place and extending to a point 149 feet west of Upper Ottawa Street be replaced with a "No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation, and that the City Traffic By-law No. 89-72 be amended accordingly.

4. That the existing full-time "Three Hour Parking Time Limit" regulation on the east side of Ravenscliffe Avenue commencing at a point 122 feet south of Aberdeen Avenue and extending to a point 330 feet southerly therefrom, be extended 38 feet southerly, and that the City Traffic By-law No. 89-72 be amended accordingly.

5. That the existing "Permit Parking" regulation on the west side of Stapleton Avenue commencing at a point 267 feet south of Grenfell Street and extending to a point 17 feet southerly therefrom, and on the east side of Stapleton Avenue commencing at a point 191 feet south of Grenfell Street and extending to a point 19 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

6. (a) That the existing "No Parking" regulation on the north side of Brucedale Avenue West commencing at a point 29 feet west of Upper James Street and extending to a point 45 feet westerly therefrom be replaced with a "30 Minute Parking Time Limit, 9:00 a.m. to 6:00 p.m., seven days a week" regulation; and,

(b) That the existing one-hour parking meter on the north side of Brucedale Avenue West commencing at a point 74 feet west of Upper James Street and extending to a point 18 feet westerly therefrom be replaced with a "No Parking" regulation; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

7. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Angela Avenue between West 32nd Street and West 33rd Street, and that the City Traffic By-law No. 89-72 be amended accordingly.

8. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 32nd Street between Angela Avenue and Scenic Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.

9. That a "Wheelchair Loading Zone, 7:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Garfield Avenue South commencing at a point 103 feet south of Vineland Avenue and extending to a point 24 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

10. (a) That a "Permit Parking" regulation be implemented on the north side of Picton Street West commencing at a point 138 feet west of James Street North and extending to a point 21 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Venita Mary Finch, No. 14 Picton Street West.

11. That northbound traffic on Cyprus Drive be required to stop for eastbound and westbound traffic on Sirente Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.

12. That all-way stop control be implemented at the intersection of Stanley Avenue and Kent Street, and that the City Traffic By-law No. 89-72 be amended accordingly.

13. That the "No Right Turn on Red, Saturday and Sunday" regulation controlling northbound traffic on Mall Road at Mohawk Road East be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

14. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Eastwood Street commencing at a point 52 feet south of Melvin Avenue and extending 25 feet southerly, and the City Traffic By-law No. 89-72 be amended accordingly.

15. (a) That the existing "Permit Parking" regulation on the east side of Tisdale Street South commencing at a point 176 feet north of the east/west leg of Tisdale Street South and extending to a point 21 feet northerly therefrom be replaced with a "Wheelchair Loading Zone, 9:00 a.m. to 7:00 p.m., seven days a week" regulation; and,

(b) That the existing "Permit Parking" regulation on the west side of Tisdale Street South commencing at a point 186 feet north of the east/west leg of Tisdale Street South and extending to a point 14 feet northerly therefrom be removed; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

16. That a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Erindale Avenue commencing at a point 110 feet north of Dundonald Avenue and extending 30 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

17. That Lockwood Motors Limited, be appointed to provide vehicle towing and storage services for the City, in accordance with specifications issued by the Purchasing Division and the Vendor Quote (REF: C16-5597).

18. For the information of City Council, the Transport and Environment Committee have made the following appointments to the Keep Hamilton Clean Committee for a term to expire 2000 December 31:

Rick Butson

Maria Demydchuk

Douglas Monk

Nadine Morrison

19. That the Terms of Reference for the Environmental Assessment Staff Advisory Committee (EASAC), attached hereto as Appendix "A", be endorsed.

20. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE), be advised that the City of Hamilton has no objection to the proposed amendment to Certificate of Approval No. A130213, Hamilton-Wentworth Third Sector Employment Enterprises, 1579 Burlington Street East, Industrial Sector F, provided the following are satisfied:

(i) all environmental safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of the Environment; and,

(ii) compliance with a "Notice of Violation" issued by the Hamilton Fire Department dated 1997 December 1, regarding all fuel-fired industrial trucks to be equipped with a 5BC or higher rated portable extinguisher; and,

(b) That a copy of this report be forwarded to the Ministry of the Environment, West Central Branch for their consideration; and,

(c) That a copy of this report be forwarded to the Commissioner of the Regional Environment Department for information; and,

(d) That the Ministry of the Environment, West Central Branch be requested to forward a copy of the final Certificate of Approval to the City of Hamilton.

21. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE), be advised that the City of Hamilton objects to the arbitrary actions undertaken by the Ministry by issuing an Amendment to Certificate of Approval No. A100145, Philip Environmental Inc., 799 - 800 Parkdale Avenue North, Industrial Sector "G" & "J", without the receipt of formal comments from the City of Hamilton; and,

(b) That the Ministry of the Environment, West Central Branch be requested to rescind Certificate of Approval No. A100145 until the following conditions are satisfied to ensure compliance with City of Hamilton concerns:

(i) six (6) required loading spaces at 3.0m x 7.5m x 4.3m (high) be provided for at No. 800 Parkdale Avenue North recognizing the prevailing industrial use; and,

(ii) compliance with a "Notice of Violation" issued by the Hamilton Fire Department dated 1997 November 27, regarding extension of a hydrant system into the salvage portion of the property; and,

(iii) compliance with Part 4 of the National Fire Code pertaining to the storage, handling, use and processing of flammable and combustible liquids, as noted in correspondence from the Hamilton Fire Department dated 1997 October 24; and,

(iv) a copy of the "Emergency Response Plan" is forwarded to the Hamilton Fire Department; and,

(v) an examination by the Ministry of the Environment of the possible negative environmental impacts with respect to a fire at this site resulting from chemical contaminants being washed into local water sources and/or down into the water table from fire fighting water; and

(vi) that the proponent be advised that the long-term land use planning intent of the City of Hamilton for lands immediately adjacent to the subject property will be for "Open Space" spaces; and,

(c) That a copy of this report be forwarded to the Ministry of the Environment, West Central Branch for their immediate action; and,

(d) That a copy of this report be forwarded to the Commissioner of the Regional Environment Department for information; and,

(e) That the Ministry of the Environment, West Central Region be requested to forward a copy of the rescinded Certificate of Approval to the City of Hamilton. **REFERRED BACK.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps.-1. **CARRIED.**

22. (a) That the West Central Branch of the Ontario Ministry of the Environment, (MOE) be advised that the City of Hamilton has no objection to the proposed amendment to Provisional Certificate of Approval No. A650025, Hamilton Bio Conversion Inc., 2380 Brampton Street, Nashdale Neighbourhood provided the following are satisfied:

(i) all environmental safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of the Environment; and,

(ii) the proponent secures the necessary approval from the Air Approvals Branch of the Ministry of the Environment in regard to the upgrading of the existing emission control equipment to a 99% level of efficiency and physically installs the upgraded equipment; and,

(iii) a fire route and appropriate signage is provided as per correspondence dated 1997 November 18 from the Hamilton Fire Department to Thermo Tech Technologies Inc.; and,

(b) That a copy of this report be forwarded to the Ministry of the Environment, West Central Branch for their consideration; and,

(c) That a copy of this report be forwarded to the Commissioner of the Regional Environment Department for information; and,

(d) That the Ministry of the Environment, West Central Region be requested to forward a copy of the final Provisional Certificate of Approval to the City of Hamilton.

23. (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvement construction:

Item		Maximum Charge per Metre of Frontage Existing 1997	Maximum Charge per Metre of Frontage Proposed 1998
(i)	Curb Only	$ 63.00	$ 73.00
(ii)	Sidewalks Only	$ 98.00	$103.00
(iii)	Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	$135.00	$149.00
(iv)	Roadway Only	$245.00	$255.00
(v)	Alleys	$111.00	$107.00
(vi)	Roadway and Curbs only (Industrial Subdivisions)	$329.00	$336.00

(b) That the Commissioner of Public Works and Traffic be authorized and directed to amend the Local Improvement By-law.

24. (a) That the Commissioner of Transportation be authorized and directed to construct a 1.5m wide asphalt path on the south side of Lawrence Road between Erin Avenue and Martin Road once all the necessary approvals are received; and,

(b) That the cost of the path estimated at $43,000 be charged to Account No. CF5200 80945 3010 - Canada Ontario Infrastructure Works Program.

25. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-19 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

(b) A-20 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson
Secretary

1998 February 16

Appendix "A" as referred
to in Section 19 of the Fourth
Report of the Transport
and Environment
Committee for 1998

The Environmental Assessment Staff Advisory Committee

Terms of Reference

Origin:

On October 14, 1997, City Council directed "that the Chief Administrative Officer be directed to establish an Environmental Assessment Staff Advisory Committee (EASAC) with representation from the Fire Department, Planning Department, Public Works and Traffic Department, Building Department, Police Department, Law Department and Regional Environment Department, to meet on a regular basis with a mandate of undertaking a multi-disciplinary review of Environmental matters and to report through the Director of Planning and Development to the Transport and Environment Committee."

Role of EASAC:

The two key roles of EASAC are as follows:

- Reviewing staff recommendation reports on proposed Ministry of Environment Certificate of Approval's prior to submission to the Transport and Environment Committee; and,

- Reviewing environmental policy initiatives and recommendations originating from other agencies or other levels of government for consideration by the City of Hamilton.

Composition:

The Advisory Committee will be composed of the Department Heads or their designates from the above-noted municipal departments. The Chairman of the Committee will be the Director of Planning and Development. Where appropriate, other individuals will be invited to attend to discuss matters and provide additional information. This may include, for example, representatives from the Ontario Ministry of Environment.

Meetings will be held at the call of the Chairman on an "as needed" basis.

Short-Term Work Program of the Advisory Committee:

A number of environmental matters require the attention of the Committee and follow-up action to the Transport and Environment Committee. This specific matters include the following:

- Liaise with the Pollution Control Sub-Committee which was re-established by City Council on October 14, 1997. Although the scope and mandate of this Committee has yet to be finalized, it is likely EASAC will function as staff support.

- Formalize the process by which the City of Hamilton and the Region of Hamilton-Wentworth will review, comment and engage the public on Ministry of Environment Certificate of Approvals. This is in response to recently-announced Provincial changes in the processing and administration of Certificate of Approvals and direction by City Council.

- Pursue and actively follow-up on the October 14, 1997 City Council approved recommendations contained within the City of Hamilton Project Team Plastimet Fire Report dated October 10, 1997 with appropriate Provincial authorities.

- Respond to the Ontario Fire Marshal's report prepared in the wake of the Plastimet fire and ensure the recommendations made by the report are quickly acted upon by the appropriate Provincial authorities.

- Consider the initiative recently undertaken by the Region of Hamilton-Wentworth on October 21, 1997 to process Certificate of Approval applications that are requesting only an amendment to an existing Certificate of Approval, subject to recommendations regarding waste service facilities contained in the Ontario Fire Marshal's report being implemented.

- Review the report "Hamilton-Wentworth Air Quality Initiative" dated November, 1997 and comment on the directions and recommendations that are made.

Report Updates to City's Transport & Environment Committee:

As new and current environmental initiatives are considered by the Advisory Committee, formal recommendation reports will be submitted to the Transport & Environment Committee where necessary. These reports will document the intent and scope of the initiative and provide recommendations for the City to pursue. As such, this will ensure elected representatives are fully apprised in a timely manner of all environmental matters and the respective staff comment, concerns and response to these matters.

Staffing:

Staff of the Planning and Development Department will be responsible for the overall co-ordination of the Advisory Committee. It is anticipated that any work tasks flowing from the work program of the Advisory Committee will be delegated to the appropriate municipal department(s).

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That the Director of Culture and Recreation be authorized to waive greens fees for the Canadian Cancer Society's "Longest Day of Golf" being played on/(or about) 1998 June 18 at King's Forest and Chedoke Golf Courses.

2. That the Director of Culture and Recreation be authorized to waive greens fees in order to host the Ontario Golf Association 1998 Amateur Qualifying Event scheduled during the second week of June 1998, at Chedoke - Beddoe Golf Course.

3. That approval as required by Parks By-law No. 95-126, Section 11 to sell alcoholic beverages in a park be given to the Hamilton YWCA - MacNab Street to use Whitehern Museum grounds, to host a fundraising auction - "My Secret Garden", 1998 June 2 from 6:30 o'clock p.m. to 10:00 o'clock p.m. subject to the Standard Terms and Conditions of the Special Events Guidelines.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson -1.

CARRIED.

4. (a) That the Keith Park Community Mural Project be approved for implementation by the neighbourhood participants; and,

(b) That the Commissioner of Public Works and Traffic Department be authorized to provide a letter of endorsement to assist the neighbourhood in securing donations of materials and service in kind towards the project; and,

(c) That the Commissioner of Public Works and Traffic approve the final design prior to implementation.

5. (a) That approval be given to the Director of Culture and Recreation to deaccession the objects from the Hamilton Military Museum collection listed hereto; and,

(b) That the deaccessioned items listed be transferred to HMCS Star as an unconditional donation.

Artifacts:

Royal Canadian Navy uniforms and accessories 1950s and 1960s:

81.81.1-3	3 collars for square rig
.6	Blue sweater
.7-8	2 khaki shirts
.10-13	4 what jackets
.14	V-neck shirt
.15-16	2 pair white trousers
.18	Khaki web belt
.19	Overcoat
81.85.1-4	4 jackets, female issue
.5-8	4 raincoats. female issue
.9	Greatcoat, female issue
.10-12	3 pair bellbottom trousers
.13	Pair white trousers
.14	Denim workshirt
.15-19	5 white blouses, female issue
.20-22	3 skirts
.23	Blue web belt
.24	Collar for square rig
.25	White scarf
.26	Pair blue work pants, female issue

6. For the information of City Council, the Parks and Recreation Committee have made the following appointments to the Arts Advisory Commission:

Alderman Ron Corsini

Susan Penrose	(for a term to expire 1998 November 30)
Don Moffat	(for a term to expire 1999 November 30)
Robert Graeme Aitken	(for a term to expire 2000 November 30)

7. For the information of City Council, the Parks and Recreation Committee have made the following appointments to the Hamilton Historical Board:

Alderman Bernie Morelli

Alderman Fred Eisenberger

Cecilia Furness	(for a term to expire 1999 November 30)
Al Bridge	(for a term to expire 2000 November 30)
David Cuming	(for a term to expire 2000 November 30)
Rev. Dr. John Johnston	(for a term to expire 2000 November 30)
Tim Kott	(for a term to expire 2000 November 30)

8. For the information of City Council, the Parks and Recreation Committee have made the following appointments to the New Mum Show Sub-Committee:

Alderman Ron Corsini

Alderman Tom Jackson

Alderman Duke O'Sullivan

Frank Berry	(for a term to expire 2000 November 30)
Barbara Bragdon	(for a term to expire 2000 November 30)
Jean Carey	(for a term to expire 2000 November 30)
John Carey	(for a term to expire 2000 November 30)

Jeanne Reid (for a term to expire 2000 November 30)

9. For the information of City Council, the Parks and Recreation Committee have appointed Alderman Terry Anderson to serve on the Golf Course Sub-Committee.

10. For the information of City Council, the Parks and Recreation Committee have appointed Alderman Bernie Morelli and Alderman Dave Wilson to serve on the Hamilton Veterans Sub-Committee.

11. (a) That a contribution in the amount of $6,000 be granted to the Ontario Gymnastics Federation to assist in the hosting of the 1998 Canadian Gymnastics Championships to be held at the Chedoke Twin Pad Arena from 1998 May 25 to May 30; and,

(b) That a contribution in the amount of $6,000 be granted to the Ontario Federation of Secondary Schools Association to assist in the hosting of the 1998 Ontario Gymnastics Championships at Chedoke Twin Pad Arena from 1998 April 20 to April 24; and,

(c) That the Finance and Administration Committee recommend a method of financing.

12. That the scope of work for Capital Fund Account No. CF629754026 Harbour Waterfront Trail -Phase 1 Construction be expanded to include work related to soil testing, land appraisals and land survey up to an amount not to exceed $100,000 of the $1 M. previously approved by Council.

13. (a) That the sale of an easement for a sanitary sewer across the Chedoke (Martin) Golf Course to Chedoke Terrace Inc., (as represented by BDO Dunwoody, in its capacity as receiver/manager appointed by the Royal Bank of Canada, security holder), be approved for the sale price of $50,000, subject to and upon the following conditions:

(i) installation and restoration work of the sanitary sewer shall be completed by Chedoke Terrace Inc. at its expense to the satisfaction of the Director of Culture and Recreation, during the offseason for the golf course - prior to April 15, 1998. Should the sewer work, for any unforseen

reason, not be completed by this date, compensation in the amount of $6,240 per day shall be paid to the City by the developer; and,

(ii) Chedoke Terrace Inc. shall bury the sewer, fully restore the golf course disturbed and supply an additional 10 large caliper trees to be planted in strategic locations on the Chedoke - Martin Golf Course. The approximate value of these trees is $3,500. The trees shall have a three year warranty period; and,

(iii) the proposed new sanitary sewer shall be located along the existing buried watermain of the Region. Chedoke Terrace Inc. shall provide and deposit a survey satisfactory to the Regional Surveyor, of the subject easement prior to completion of the easement agreement; and,

(iv) The design and location of the sanitary sewer forcemain shall be satisfactory to the Director of Culture and Recreation and to the Regional Environment Department, Development Division. The developer shall also agree in the easement agreement that subsequent to installation, the applicant shall relocate the sewer to a new location at the developer's expense if directed by the City; and,

(v) Prior to commencement of Chedoke's sewer work, security that the work shall be completed by April 15 and that the other conditions of the City's easement are fulfilled as required, shall be paid by Chedoke Terrace Inc. to the City in the amount of $31,200. In the event the work is completed as required by April 15, the City shall refund the said security without interest. If the sewer work is completed after April 15 or completed not in accordance with City requirements, the City may apply such security to the penalty owing and/or work not performed and the balance of penalty/City expenses in excess $31,200 (if any) shall be immediately paid to the City by Chedoke Terrace Inc.; and,

(vi) Prior to commencement of the sewer work, realty taxes on the Chedoke Terrace Inc. property (former Lapp property) shall be in good standing, an easement agreement incorporating the City's conditions of sale and in a form satisfactory to the Director of Culture & Recreation and the City Solicitor shall have been executed and registered by Chedoke Terrace Inc. and Chedoke Terrace Inc. shall have paid the City the $50,000 sale price as well as the said $31,200 security; and,

(b) That the $50,000 derived from this sale be credited to a Reserve Account for Golf Course Improvements; and, **REFERRED BACK.**

Recorded vote on referral back (Section 13 (b))

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Kiss, Caplan, Copps. -3. **CARRIED.**

(c) That construction of the said sewer also be conditional upon and the purchaser is hereby authorized (by the City, as owner of Chedoke Golf Course), to apply to the Niagara Escarpment Commission for a Development Permit and to the Hamilton Region Conservation Authority for a permit to cross a creek, on the eastern edge of the Course; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(e) That this easement intended to be sold to Chedoke Terrace Inc., in accordance with Realty Sales Procedural By-law No. 95-049, be declared surplus to the requirements of the City; and,

(f) That the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act and in accordance with Real Property Sales Procedural By-law No. 95-049 that:

(i) the easement has been declared surplus to the requirements of the City; and,

(ii) satisfactory notice has been given to the public of the intended sale of the easement; and,

(iii) an appraisal of the fair market value of the said easement was obtained on the 17th day of February, 1998.

Recorded vote on Section 13.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, O'Sullivan. -14.

NAYS: Aldermen Copps, Anderson.-2. **CARRIED.**

Respectfully Submitted,

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1998 February 17

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Zoning Application 97-37, Silvia Costabile, owner, for changes in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, modified, for Block "1", and from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, for Block "2", to permit development of Block "2" for three lots for single detached dwellings and retention of the existing dwelling on Block "1", for lands located at No. 73 Kennedy Avenue, as shown on the attached map marked as Appendix "A", on the following basis:

   (i) That Blocks "1" and "2" be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District; and,

   (ii) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special provisions:

      (1) That notwithstanding Section 9.(4), a lot width of at least 21.88 m and an area of at least 683 m^2 shall be required.

   (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1397, and that Block "1" on Zoning District Map W-9E be notated S-1397; and,

   (iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council; and,

(v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. (a) That approval be given to Application CD-97-004, under the Rental Housing Protection Act, V. Silva, owner, for conversion of 23 rental apartments to condominium units for the property located at 29 Sherman Avenue South, subject to the following conditions:

(i) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit or a unit upon which the tenant and landlord mutually agree for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "B", upon the following minimum terms: **AMENDED.**

1. the Offer will be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent by the City;

2. the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the RHPA application, immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the owner;

3. that the Tenants' rent will not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,

4. that the Tenants' may terminate their lease, at any time, on 60 days written notice, without penalty.

(ii) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, an Option to purchase their current unit or a unit upon which the tenant and landlord mutually agree, together with appurtenant interests. Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an

Agreement of Purchase and Sale, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner;

(iii) 1. That the City send by registered mail to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,

2. That the notice indicated in section (ii) above shall be sent immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the Owner; and,

3. That the tenants noted in (ii) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the Option.

(iv) That this RHPA approval shall cease and be at an end,

1. if the Owner has sold the land without entering into an RHPA Approval Agreement with the City and registering same on title; or,

2. within two years from the date of Council's approval of RHPA application CD-97-004, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton;

(v) That the Owner enter into a RHPA Approval Agreement with the City in a form satisfactory to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "B", "C", and "D" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval;

(vi) In the event that the Owner proposes to sell all of the subject lands, he/she shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein;

(vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the RHPA application; and,

(viii) That the Owner provide the City Solicitor with satisfactory evidence that there are no outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.

(b) That upon satisfaction of the above-noted conditions, the City Solicitor be authorized to request that the City Clerk execute the RHPA Certificate of Approval.

(c) That upon the fulfilment of obligations set out in Rental Housing Protection Act Agreements, the City authorize the Mayor and City Clerk to sign discharges, to be registered at the sole expense of the party requesting the discharge, in a form satisfactory to the City Solicitor.

3. (a) That approval be given to Application CD-97-005, under the Rental Housing Protection Act, 822938 Ontario Inc., In Trust, Owner, for conversion of 108 rental apartment units to condominium apartment units for the property located at 75 Glenburn Court, subject to the following conditions:

(i) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit or a unit upon which the tenant and landlord mutually agree for a period of not less than three years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "E", upon the following minimum terms:

(1) the Offer will be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent by the City; and,

(2) the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the RHPA application, immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the owner; and,

(3) that the Tenants' rent will not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended; and,

(4) that the Tenants may terminate their lease, at any time, on 60 days written notice, without penalty; and,

(ii) That the City offer, on behalf of the Owner, in writing, to the Tenants residing at the premises on the date of Council's approval, an Option to purchase their current unit or a unit upon which the tenant and landlord mutually agree, together with appurtenant interests. Such Option shall allow each tenant at least three years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which agreement shall incorporate the conditions in Appendix "F", annexed hereto; and,

(iii) (1) That the City send by registered mail to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,

(2) That the notice indicated in section (ii) above shall be sent immediately following the expiration of the appeal period of the Council approval provided that the prescribed Phase II fee has been paid by, or on behalf of, the Owner; and,

(3) That the tenants noted in (ii) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the Option; and,

(iv) That this RHPA approval shall cease and be at an end,

(1) if the Owner has sold the land without entering into an RHPA Approval Agreement with the City and registering same on title; or,

(2) within two years from the date of Council's approval of RHPA application CD-97-005, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,

(v) That the Owner enter into a RHPA Approval Agreement with the City in a form satisfactory to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendices "E", "F" and "G", annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval; and,

(vi) In the event that the Owner proposes to sell all of the subject lands, he/she shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,

(vii) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the RHPA application; and,

(viii) That the Owner provide the City Solicitor with satisfactory evidence that there are no outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,

(ix) That the Owner provide the City Solicitor with satisfactory evidence that a Change of Use Permit has been secured from the City of Hamilton Building Department; and,

(b) That upon satisfaction of the above-noted conditions, the City Solicitor be authorized to request that the City Clerk execute the RHPA Certificate of Approval.

(c) That upon the fulfilment of obligations set out in Rental Housing Protection Act Agreements, the City authorize the Mayor and City Clerk to sign discharges, to be registered at the sole expense of the party requesting the discharge, in a form satisfactory to the City Solicitor.

4. That Schedule "B" of By-law No. 98-045, as amended, appointing the Main Street West Esplanade B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "B"

J. Bourinot	415 Main Street West, Dairy Queen, (Owner/Tenant)
I. Kobylanski	354 Main Street West, Izzy's Restaurants, (Owner/Tenant)
J. Castellano	287 Main Street West, Castellano Real Estate, (Owner/Tenant)
J. Morrison	65 Locke Street, Royal Bank, (Owner/Tenant)
B. Hughes	443 Main Street West, Tim Hortons, (Owner/Tenant)
M. Gunn	428 Main Street West, Mor Car Wash, (Owner/Tenant)
M. Farrugia	271 Main Street West, (Owner)

5. That Section 1B of the Seventh Report of the Planning and Development Committee, as approved by City Council on 1997 April 29, respecting the amended Zoning Application ZAC-96-05 - Paul Silvestri, known municipally as 177 Rymal Road East and 1684 Upper Wellington Street, attached hereto as Appendix "H" be amended by deleting Section B(a)(iv) in its entirety and that Sections B(a)(v), B(a)(vi) and B(a)(vii) be renumbered to B(a)(iv), B(a)(v) and B(a)(vi) respectively.

6. (a) That the Regional Municipality of Hamilton-Wentworth be requested to approve the request by A. Fletcher, agent, to extend draft plan approval for "Battleridge" subdivision under Regional File No. 25T-76024 for a further one (1) year period to February 28, 1999, subject to the following revisions to the conditions of draft plan approval:

(i) That Condition b) be deleted as it is no longer required; and,

(ii) That Condition c) be amended to state "That no more than 100 units be allowed to be developed from a single access road, on a temporary basis."; and,

(iii) That Condition e) be deleted as it is no longer required; and,

(iv) That Condition p) be revised to delete the reference to the Ministry of Transportation and Communications and the Regional Engineering Department and substitute "to the satisfaction of the Commissioner of the Regional Environment Department as well as the Commissioner of the Transportation Department."; and,

(v) That Condition p) be further revised to delete the reference to Highway No. 20 and refer to the road as Centennial Parkway; and,

(vi) That Condition q) be deleted in its entirety and replaced with the following:

"That the Owner erect a 1.8 metre chain link fence along the entire frontage of Centennial Parkway with the exception of any approved portions, to the satisfaction of the Commissioner, Regional Environment Department. The fence is to be 100% developer's cost."; and,

(vii) That Condition r) be deleted in its entirety and replaced with the following:

"That 0.30 metre reserves be transferred to the Region along the entire frontage of Centennial Parkway except for any approved portions to the satisfaction of the Commissioner of the Regional Environment Department."; and,

(viii) That Condition s) be deleted in its entirety and replaced with the following:

"That the owner retain the services of a qualified Professional Engineer for the preparation of a detailed Noise Study in order to determine what measures are to be taken by the developer for noise generated by Centennial Parkway and that the developer implement noise mitigation measures to the satisfaction of the Commissioner of the Regional Environment Department."; and,

(b) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,

(c) That the approved Gershome Neighbourhood Plan be amended to delete the temporary slip-off lane and the permanent slip-off lane from Centennial Park into the interior of the Gershome Neighbourhood.

7. That approval be given to the revised elevation plans for the Fearman House at 90 Stinson Street, of "door 101A exterior" (located on the west side of the central tower front entrance), dated 1998 January 20, attached hereto and marked as Appendix "I", as an amendment to the Heritage Permit approved by City Council on 1997 March 25.

8. For the information of City Council, the Planning and Development Committee have made the following appointments to the Central Area Plan Implementation Committee:

Alderman Geraldine Copps
Alderman Ron Corsini

William O'Brien	(for a term to expire 1999 November 30)
Denise Giroux	(for a term to expire 2000 November 30)

9. For the information of City Council, the Planning and Development Committee have made the following appointments to the Local Architectural Conservation Advisory Committee:

Alderman Frank D'Amico
Alderman Bill Kelly

John Mokrycke	(for a term to expire 1998 November 30)
Reg Wheeler	(for a term to expire 1998 November 30)
Brian Henley	(for a term to expire 1999 November 30)
Jane Rigby	(for a term to expire 1999 November 30)
Jeffrey Steadman	(for a term to expire 1999 November 30)
Diane Dent	(for a term to expire 2000 November 30)
Bill King	(for a term to expire 2000 November 30)
Donna Yates	(for a term to expire 2000 November 30)

10. For the information of City Council, the Planning and Development Committee have made the following appointments to the Beach Neighbourhood Plan Implementation Committee:

Alderman Geraldine Copps
Alderman Chad Collins
Alderman Fred Eisenberger
Alderman Dave Wilson

11. For the information of City Council, the Planning and Development Committee have made the following appointment to the BIA and Business Co-ordinating Committee:

Alderman Marvin Caplan

12. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-37 A By-law to Amend Zoning By-law 6593 Respecting Lands Located at Municipal No. 166 Queenston Road

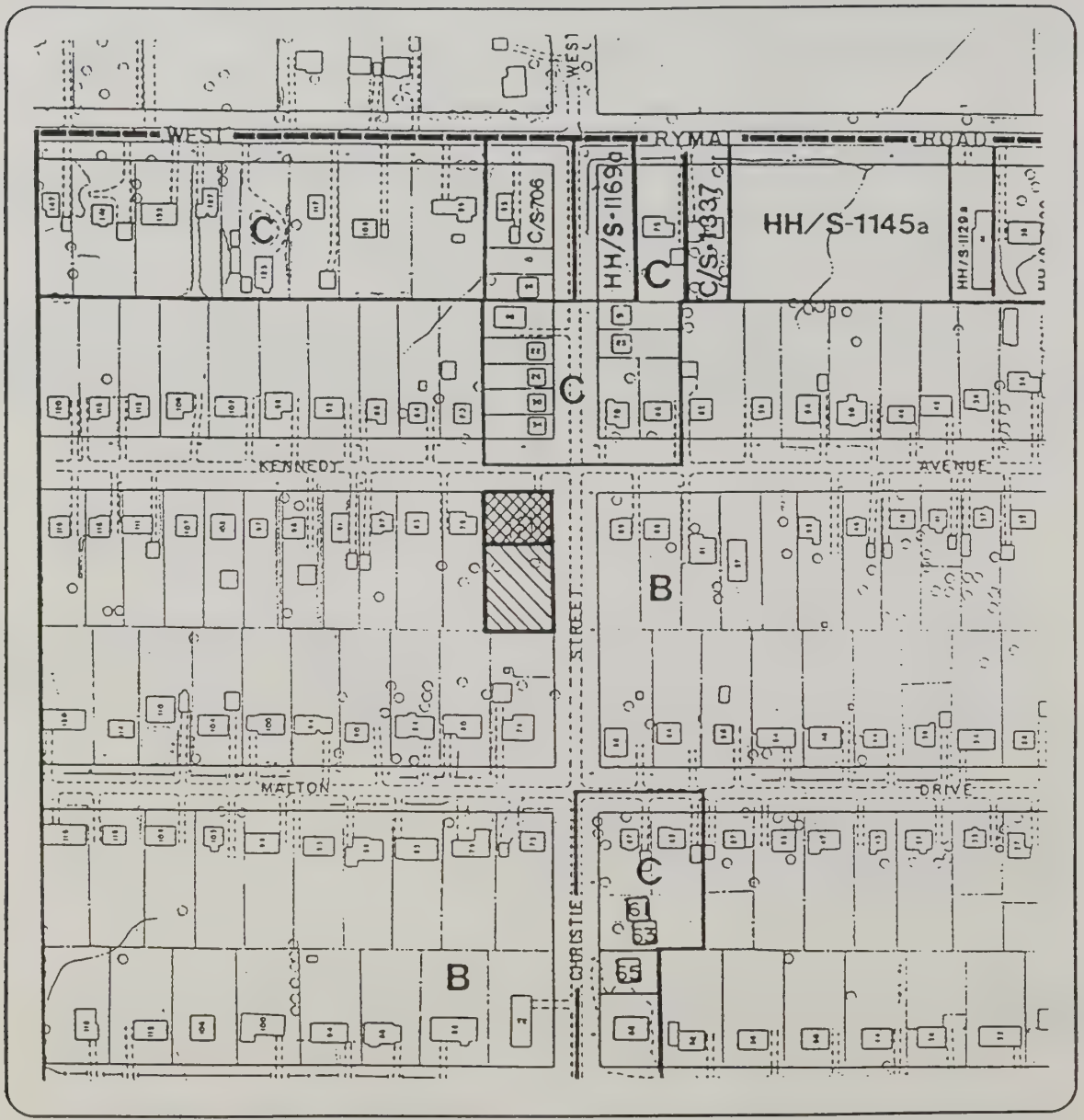
(b) C-38 A By-law to Amend By-law No. 87-308 as amended by By-laws No. 92-079 and 98-042 Respecting Members of the Board of Management of the Barton Village Business Improvement Area.

(c) C-39 A By-law to Amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East. **ADDED.**

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN PLANNING AND DEVELOPMENT COMMITTEE

Stella Glover, Secretary
1998 February 18



Legend

Change in Zoning from:

BLOCK 1

"B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, modified

BLOCK 2

"B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District

City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No
	NOT TO SCALE	ZAC-97-37
	Date	Drawn By
	FEBRUARY, 1998	F. A.

Appendix "B" referred to in Section 2 of the **FOURTH** Report of the Planning and Development Committee for 1998.

AMENDED.

MONTHLY RENTAL CHARGES AS OF JANUARY 1, 1998

29 Sherman Avenue South

Unit 2
29 Sherman Avenue South
Unit 2
Hamilton, ON
L8M 2P6

Rent: $587.00

Unit 3
29 Sherman Avenue South
Unit 3
Hamilton, ON
L8M 2P6

Rent: $399.00

Unit 4
29 Sherman Avenue South
Unit 4
Hamilton, ON
L8M 2P6

Rent: $561.00

Unit 6
29 Sherman Avenue South
Unit 6
Hamilton, ON
L8M 2P6

Rent: $561.00

Unit 7
29 Sherman Avenue South
Unit 7
Hamilton, ON
L8M 2P6

Rent: $530.00

Unit 9
141 Catharine Street South
Unit 9
Hamilton, ON
L8N 2J7

Rent: $530.00

Unit 12
29 Sherman Avenue South
Unit 12
Hamilton, ON
L8M 2P6

Rent: $561.00

Unit 14
29 Sherman Avenue South
Unit 14
Hamilton, ON
L8M 2P6

Rent: $530.00

Unit 15
29 Sherman Avenue South
Unit 15
Hamilton, ON
L8M 2P6

Rent: $561.00

Unit 16
29 Sherman Avenue South
Unit 16
Hamilton, ON
L8M 2P6

Rent: $530.00

Unit 17 29 Sherman Avenue South
Unit 17
Hamilton, ON
L8M 2P6

Rent: $561.00

Unit 18 29 Sherman Avenue South
Unit 18
Hamilton, ON
L8M 2P6

Rent: $561.00

Unit 19 29 Sherman Avenue South
Unit 19
Hamilton, ON
L8M 2P6

Rent: $561.00

Unit 20 29 Sherman Avenue South
Unit 20
Hamilton, ON
L8M 2P6

Rent: $530.00

Unit 21 29 Sherman Avenue South
Unit 21
Hamilton, ON
L8M 2P6

Rent: $561.00

Unit 22 29 Sherman Avenue South
Unit 22
Hamilton, ON
L8M 2P6

Rent: $530.00

Unit 23 29 Sherman Avenue South
Unit 23
Hamilton, ON
L8M 2P6

Rent: $561.00

Unit 24 29 Sherman Avenue South
Unit 24
Hamilton, ON
L8M 2P6

Rent: $530.00

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

(a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to purchase shall be prepared by the Owner and registered by the Owner at his/her expense, including payment of registration fees.

(b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.

(c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.

The Agreement of Purchase and Sale shall provide,

a) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,

   i) $3,000.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,

   ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

MONTHLY RENTAL CHARGES AS OF Januray 30, 1998

75Glenburn Court - CD-97-005

Unit 101
75 Glenburn Court
Unit 101
Hamilton, ON
L8E 1C7

Rent: $560.00

Unit 102
75 Glenburn Court
Unit 102
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 103
75 Glenburn Court
Unit 103
Hamilton, ON
L8E 1C7

Rent: $634.71

Unit 104
75 Glenburn Court
Unit 104
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 105
75 Glenburn Court
Unit 105
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 106
75 Glenburn Court
Unit 106
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 107
75 Glenburn Court
Unit 107
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 108
75 Glenburn Court
Unit 108
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 109
75 Glenburn Court
Unit 109
Hamilton, ON
L8E 1C7

Rent: $619.00

Unit 110
75 Glenburn Court
Unit 110
Hamilton, ON
L8E 1C7

Rent: $619.00

Unit 111
75 Glenburn Court
Unit 111
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 112
75 Glenburn Court
Unit 112
Hamilton, ON
L8E 1C7

Rent: $649.00

Unit 113 75 Glenburn Court
Unit 113
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 114 75 Glenburn Court
Unit 202
Hamilton, ON
L8E 1C7

Rent: $756.92

Unit 115 75 Glenburn Court
Unit 115
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 116 75 Glenburn Court
Unit 116
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 117 75 Glenburn Court
Unit 117
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 201 75 Glenburn Court
Unit 201
Hamilton, ON
L8E 1C7

Rent: $509.00

Unit 2A 75 Glenburn Court
Unit 2A
Hamilton, ON
L8E 1C7

Rent: $449.00

Unit 2B 75 Glenburn Court
Unit 2B
Hamilton, ON
L8E 1C7

Rent: $450.00/Vacant

Unit 301 75 Glenburn Court
Unit 301
Hamilton, ON
L8E 1C7

Rent: $565.00

Unit 302 75 Glenburn Court
Unit 302
Hamilton, ON
L8E 1C7

Rent: $606.48

Unit 303 75 Glenburn Court
Unit 303
Hamilton, ON
L8E 1C7

Rent: $449.00

Unit 304 75 Glenburn Court
Unit 304
Hamilton, ON
L8E 1C7

Rent: $699.00/Vacant

Unit 305 75 Glenburn Court
Unit 305
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 306 75 Glenburn Court
Unit 306
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 307 75 Glenburn Court
Unit 307
Hamilton, ON
L8E 1C7

Rent: $616.00

Unit 308 75 Glenburn Court
Unit 308
Hamilton, ON
L8E 1C7

Rent: $699.00/Vacant

Unit 309 75 Glenburn Court
Unit 309
Hamilton, ON
L8E 1C7

Rent: $519.37

Unit 310 75 Glenburn Court
Unit 310
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 311 75 Glenburn Court
Unit 311
Hamilton, ON
L8E 1C7

Rent: $569.00

Unit 401
75 Glenburn Court
Unit 401
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 402
75 Glenburn Court
Unit 402
Hamilton, ON
L8E 1C7

Rent: $617.00

Unit 403
75 Glenburn Court
Unit 403
Hamilton, ON
L8E 1C7

Rent: $494.26/Vacant

Unit 404
75 Glenburn Court
Unit 404
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 405
75 Glenburn Court
Unit 405
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 406
75 Glenburn Court
Unit 406
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 407
75 Glenburn Court
Unit 407
Hamilton, ON
L8E 1C7

Rent: $615.00

Unit 408
75 Glenburn Court
Unit 408
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 409
75 Glenburn Court
Unit 409
Hamilton, ON
L8E 1C7

Rent: $505.13

Unit 410
75 Glenburn Court
Unit 410
Hamilton, ON
L8E 1C7

Rent: $580.82/Vacant

Unit 411
75 Glenburn Court
Unit 411
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 501
75 Glenburn Court
Unit 501
Hamilton, ON
L8E 1C7

Rent: $625.00

Unit 502
75 Glenburn Court
Unit 502
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 503
75 Glenburn Court
Unit 503
Hamilton, ON
L8E 1C7

Rent: $469.00

Unit 504
75 Glenburn Court
Unit 504
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 505
75 Glenburn Court
Unit 505
Hamilton, ON
L8E 1C7

Rent: $580.80

Unit 506
75 Glenburn Court
Unit 506
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 507
75 Glenburn Court
Unit 507
Hamilton, ON
L8E 1C7

Rent: $580.82

Unit 508
75 Glenburn Court
Unit 508
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 509
75 Glenburn Court
Unit 509
Hamilton, ON
L8E 1C7

Rent: $499.00

Unit 510
75 Glenburn Court
Unit 510
Hamilton, ON
L8E 1C7

Rent: $581.00

Unit 511
75 Glenburn Court
Unit 511
Hamilton, ON
L8E 1C7

Rent: $655.99

Unit 601 75 Glenburn Court
Unit 601
Hamilton, ON
L8E 1C7

Rent: $616.00

Unit 602 75 Glenburn Court
Unit 602
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 603 75 Glenburn Court
Unit 603
Hamilton, ON
L8E 1C7

Rent: $499.00

Unit 604 75 Glenburn Court
Unit 604
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 605 75 Glenburn Court
Unit 605
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 606 75 Glenburn Court
Unit 606
Hamilton, ON
L8E 1C7

Rent: $599.00/Vacant

Unit 607 75 Glenburn Court
Unit 607
Hamilton, ON
L8E 1C7

Rent: $604.80

Unit 608 75 Glenburn Court
Unit 608
Hamilton, ON
L8E 1C7

Rent: $695.00

Unit 609 75 Glenburn Court
Unit 609
Hamilton, ON
L8E 1C7

Rent: $499.00

Unit 610 75 Glenburn Court
Unit 610
Hamilton, ON
L8E 1C7

Rent: $599.00/Vacant

Unit 611 75 Glenburn Court
Unit 611
Hamilton, ON
L8E 1C7

Rent: $648.76/Vacant

Unit 701 75 Glenburn Court
Unit 701
Hamilton, ON
L8E 1C7

Rent: $638.11/Vacant

Unit 702 75 Glenburn Court
Unit 702
Hamilton, ON
L8E 1C7

Rent: $569.00/Vacant

Unit 703 75 Glenburn Court
Unit 703
Hamilton, ON
L8E 1C7

Rent: $469.00

Unit 704 75 Glenburn Court
Unit 704
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 705 75 Glenburn Court
Unit 705
Hamilton, ON
L8E 1C7

Rent: $615.77

Unit 706 75 Glenburn Court
Unit 706
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 707 75 Glenburn Court
Unit 707
Hamilton, ON
L8E 1C7

Rent: $615.77/Vacant

Unit 708 75 Glenburn Court
Unit 708
Hamilton, ON
L8E 1C7

Rent: $669.00

Unit 709 75 Glenburn Court
Unit 709
Hamilton, ON
L8E 1C7

Rent: $488.46

Unit 710 75 Glenburn Court
Unit 710
Hamilton, ON
L8E 1C7

Rent: $581.00

Unit 711 75 Glenburn Court
Unit 711
Hamilton, ON
L8E 1C7

Rent: $580.82

Unit 801 75 Glenburn Court
Unit 801
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 802 75 Glenburn Court
Unit 802
Hamilton, ON
L8E 1C7

Rent: $599.00/Vacant

Unit 803 75 Glenburn Court
Unit 803
Hamilton, ON
L8E 1C7

Rent: $505.00

Unit 804 75 Glenburn Court
Unit 804
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 805 75 Glenburn Court
Unit 805
Hamilton, ON
L8E 1C7

Rent: $616.00

Unit 806 75 Glenburn Court
Unit 806
Hamilton, ON
L8E 1C7

Rent: $606.54

Unit 807 75 Glenburn Court
Unit 807
Hamilton, ON
L8E 1C7

Rent: $600.00

Unit 808 75 Glenburn Court
Unit 808
Hamilton, ON
L8E 1C7

Rent: $719.00

Unit 809 75 Glenburn Court
Unit 809
Hamilton, ON
L8E 1C7

Rent: $499.00

Unit 810 75 Glenburn Court
Unit 810
Hamilton, ON
L8E 1C7

Rent: $631.09/Vacant

Unit 811 75 Glenburn Court
Unit 811
Hamilton, ON
L8E 1C7

Rent: $590.00

Unit 901 75 Glenburn Court
Unit 901
Hamilton, ON
L8E 1C7

Rent: $616.00

Unit 902 75 Glenburn Court
Unit 902
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 903 75 Glenburn Court
Unit 903
Hamilton, ON
L8E 1C7

Rent: $513.00

Unit 904 75 Glenburn Court
Unit 904
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit 905 75 Glenburn Court
Unit 905
Hamilton, ON
L8E 1C7

Rent: $580.82

Unit 906 75 Glenburn Court
Unit 906
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 907 75 Glenburn Court
Unit 907
Hamilton, ON
L8E 1C7

Rent: $616.00

Unit 908 75 Glenburn Court
Unit 908
Hamilton, ON
L8E 1C7

Rent: $699.80

Unit 909 75 Glenburn Court
Unit 909
Hamilton, ON
L8E 1C7

Rent: $499.00

Unit 910 75 Glenburn Court
Unit 910
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit 911 75 Glenburn Court
Unit 911
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit A1001 75 Glenburn Court
Unit A1001
Hamilton, ON
L8E 1C7

Rent: $629.22/Vacant

Unit A1002 75 Glenburn Court
Unit A1002
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit A1003 75 Glenburn Court
Unit A1003
Hamilton, ON
L8E 1C7

Rent: $514.00/Vacant

Unit A1004 75 Glenburn Court
Unit A1004
Hamilton, ON
L8E 1C7

Rent: $699.00

Unit A1005 75 Glenburn Court
Unit A1005
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit A1006 75 Glenburn Court
Unit A1006
Hamilton, ON
L8E 1C7

Rent: $616.00

Unit A1007 75 Glenburn Court
Unit A1007
Hamilton, ON
L8E 1C7

Rent: $620.00

Unit A1008 75 Glenburn Court
Unit A1008
Hamilton, ON
L8E 1C7

Rent: $180.39

Unit A1009 75 Glenburn Court
Unit A1009
Hamilton, ON
L8E 1C7

Rent: $499.00

Unit A1010 75 Glenburn Court
Unit A1010
Hamilton, ON
L8E 1C7

Rent: $599.00

Unit A1011 75 Glenburn Court
Unit A1011
Hamilton, ON
L8E 1C7

Rent: $612.53

The Agreement of Purchase and Sale shall provide,

(a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,

(b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less,

i) $3,000.00 of the appraised dollar value of the Unit; and,

ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

(a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to purchase shall be prepared by the Owner and registered by the Owner at his/her expense, including payment of registration fees.

(b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.

(c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.

Appendix "H" referred to in
Section 5 of the **FOURTH**
Report of the Planning and
Development Committee for 1998.

CITY COUNCIL
APRIL 29, 1997

1(B) That approval be given to Amended Zoning Application ZAC-96-05, **Paul Silvestri, owner,** for changes in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District (Block "1"), "R-4" - 'H' (Small Lot Single Family - Holding) District (Block "2") and "C" (Urban Protected Residential, etc.) District (Block "3"), for lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East and 1684 Upper Wellington Street, as shown on the attached map marked as APPENDIX "A", on the following basis:

(i) That Block "1" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District;

(ii) That Block "2" be rezoned from "AA" (Agricultural) District to "R-4" - 'H' (Small Lot Single Family - Holding) District;

(iii) That Block "3" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

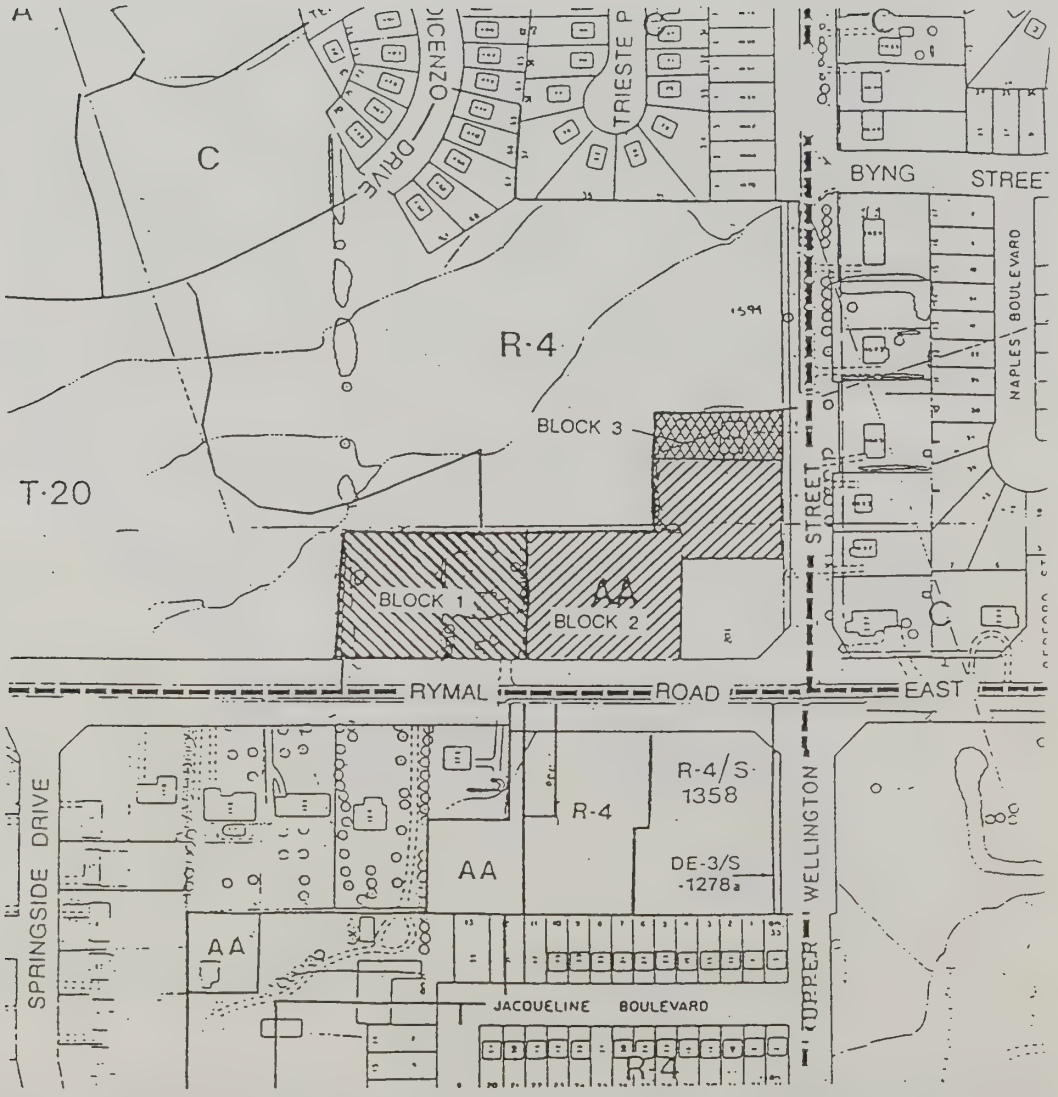
(iv) That the amending By-law applicable to Block "2" apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the availability of all such municipal services for the subject lands as the City deems necessary to service the proposed development.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District, provisions as stipulated in the By-law by enactment of an amending By-law once the condition is fulfilled;

(v) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1379, and that the Block "1" on Zoning District Map W-17B be notated S - 1379;

(vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,

(vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.



Legend

Proposed change in zoning :

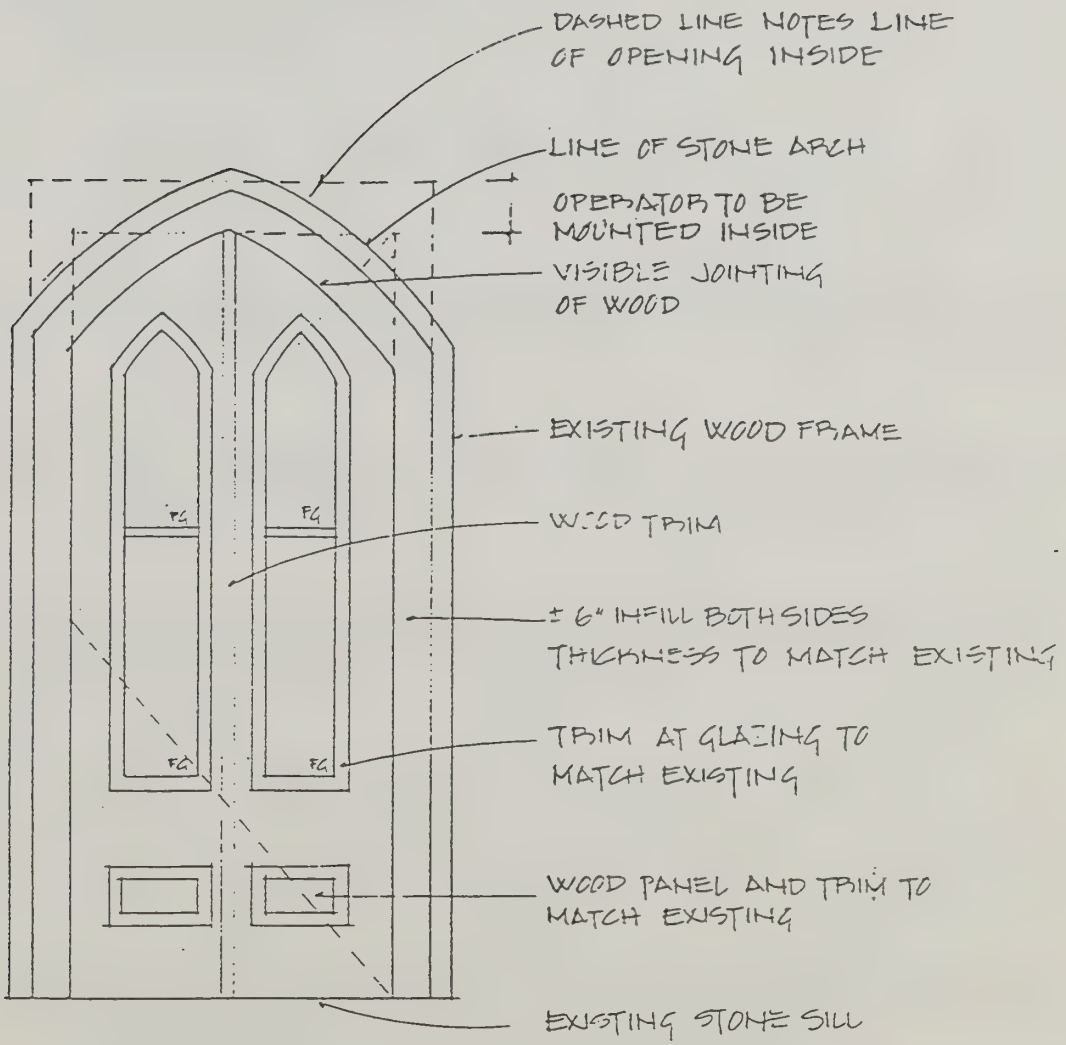
BLOCK 1 — "AA" (Agricultural) District, to "R-4" (Small Lot Single Family Dwelling) District.

BLOCK 2 — "AA" (Agricultural) District to "R-4" -'H' (Small Lot Single Family Dwelling- Holding) District

BLOCK 3 — "AA" (Agricultural) District, to "C" (Urban Protected Residential, etc) District

ZAC-96-05
SAC-96-01

Appendix "I" referred to in
Section 7 of the **FOURTH**
Report of the Planning and
Development Committee for 1998.



INTERIOR SIMILAR. TO MATCH TRIM PROFILES OF EXISTING

90 STINSON STREET HAMILTON, ONTARIO	DATE: JAN 20/98 SCALE: 1/2" = 1'0"
DRAWING: DOOR 101A EXTERIOR ELEVATION - REVISED	96-08S(R)
McCallum Sather Architects Inc	SK NO. 32

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1998 and respectfully recommends:

1. That the City of Hamilton make a presentation before the Senate hearings on The Canada Marine Act, Bill C-9.

2. That the Hamilton Harbour Commissioners be requested to provide the City of Hamilton with the following financial information relating to the Hamilton Harbour Commission within 14 (fourteen) days;

   (a) Information relating to the current five-year capital budget, including:

      (i) A list of the projects included in the budget and the nature/purpose of the project/expenditure; and,

      (ii) Whether the expenditure represents an improvement/addition to existing capacity or whether it relates to a maintenance/replacement expenditure required to sustain existing capacity; and,

      (iii) Copies of any available economic or feasibility studies or similar documents/analyses prepared in support of the budgeted expenditures; and,

      (iv) Information on the present stage of each project (i.e., whether the project has been designed, whether the costs have been estimated, whether the project has been put out to construction companies for tender, whether the project is in progress, etc.); and,

      (v) How the expenditure will be financed (i.e. from existing investments reserved for future improvements, from future cash flow, from debt, etc.); and,

(b) Any available operating budgets (i.e., budgeted statements of revenue and expenses and or budgeted balance sheets); and,

(c) A list of tenants/leases (for both existing tenants/leases and any leases that have been signed for future tenants) setting out the following:

(i) The property (Pier #) and the name of the tenant; and,

(ii) The terms of the lease, including monthly or periodic required rental payments, the maturity date of the lease and whether the lease is on a gross or net basis; and,

(d) The full audited financial statements (complete with notes and supporting schedules including the fixed asset and depreciation schedule) for the Harbour for the years 1980 to 1984, 1986 and 1989; and,

(e) Certain financial statements that have been provided to us for 1990 and subsequent years include various schedules of revenue, expenses and fixed assets, including:

(i) Schedule of Revenue; and,
(ii) Schedule of Operating Expenses; and,
(iii) Schedule of Administrative, Office and General Expenses; and,
(iv) Schedules of Fixed Assets (including Land, Docks and Harbour Improvements, Buildings, and Vessels and Equipment).

However, we are missing (and are therefore requesting) these schedules for the following years:

(1) 1994; and,
(2) 1995 (Schedule of Vessels and Equipment only); and,

(f) It would appear that the detailed revenue/expense/fixed asset data was included in the financial statements for years prior to 1990. If so, then this information would be included in the financial statements requested above in point (iv). However, to the extent that the schedules of revenue, expenses and fixed assets were prepared for years prior to 1990 (and are not otherwise disclosed in the financial statements), then please provide these detailed schedules for such prior years; and,

(g) That any further information requested by the City through KPMG, Chartered Accountants for the City of Hamilton on harbour issues, be provided within 30 (thirty) days as set out in the Walsh Decision.

3. (a) That correspondence from the Secretary to the Hamilton Harbour Commissioners dated 1998 January 26, respecting Memorandum of Agreement, September 29, 1997, be received; and,

(b) That the Hamilton Harbour Commissioners be advised that the City of Hamilton has not agreed with the positions put forward under items 5(1) and (2) of the Board of the Hamilton Harbour Commissioners resolution, referred to in correspondence dated 1998, January 26 from the Secretary to the Board of Commissioners to the City Clerk respecting the Memorandum of Agreement, September 29, 1997; and,

(c) That the Hamilton Harbour Commissioners be advised that as per section 5(3) of their correspondence, for the purposes of meetings as projected by 1998 March 14, the City of Hamilton representatives are Mayor Morrow, Alderman Charters and Alderman Collins.

4. That approval be given to establish an open order with A.M. Roofing Systems Incorporated of Hamilton Ontario, for Roof Repairs as and when required for 1998, 1999 and 2000 at an hourly charge-out rate of $47, $48 and $49 respectively, being the lowest tender received in accordance with specifications issued by the Purchasing Division 1998 January.

5. (a) That approval be given to issue a purchase order in the amount of $105,930 inclusive of a Contingency ($10,000) & G.S.T. ($6,930) to commission Arc-Tech Contracting Ltd. of Hamilton for the installation of the emergency generator at City Hall, being the lowest price of two quotations received in accordance with the specifications (Ref: C6-4797) issued by the Purchasing Division; and,

(b) That the expenditure be financed from Capital Fund Accounts - Uninterruptable Power Supply - City Hall - CF319541007 ($81,765.13), Split Power Supply - City Hall - CF319541006 ($5,215.41) & C.U.P.- Capital Replacement- CF319651022 ($18,949.46).

6. That the statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1997, attached hereto as Appendix "A" be received by City Council.

7. (a) That approval be given to specify Volcano Boilers manufactured by Thermogenics Inc. of Aurora Ontario, in a tender for the supply and installation of new boilers, and that the amount of $155,020 inclusive of GST ($9,436) be included as an allowance in said specification; and,

(b) That the complete project be financed from Capital Fund Accounts - Replace Boilers - City Hall - CF319741037 ($145,000) and Domestic Hot Water System - City Hall-CF319251003 ($100,000).

8. That Section 12 of the Seventeenth Report of the Finance and Administration Committee for 1996, adopted by City Council at it's meeting held 1996 October 29, respecting the request that the Hamilton Board of Education and the Hamilton-Wentworth Roman Catholic Separate School Board provide the City with a list of nominee recommendations for the City's consideration in appointing School Board representatives to the Hamilton Public Library Board, be rescinded.

9. (a) That the Pilot Procurement Card Program be adopted on an ongoing basis in accordance with the procedures established for the program; and,

(b) That cardholder additions occur only when specifically requested by a City Department and reviewed/approved by the Department Head of the requesting department, and be in keeping with the parameters approved for this program; and,

(c) That the procurement card program be included in the banking tender scheduled for the fall of 1998.

10. (a) That, based upon information and quotations received from Dalton Timmis Group, Inc., the City's current Insurance Brokers, the City purchase insurance coverage for the term 1998 March 1 to 1999 March 1, at a total cost of $549,868, plus PST, in accordance with Appendix "B" attached hereto; and,

(b) That the Mayor and the City Clerk be authorized to execute all necessary documentation in a form satisfactory to the City Solicitor; and,

(c) That the City Solicitor be authorized to cancel the following policy, rendered redundant, effective 1997 March 1, because of the encompassing Public Officials Liability Insurance Policy:

Association Liability Insurance with Chubb Insurance Company of Canada (Policy No. 8130-23-76D) in respect of the Hamilton Public Library Board.

11. (a) That the audited Financial Statements for Grey Cup 1996 Hamilton Inc., as prepared by MacGillivray Partners - Chartered Accountants, for the period ended February 28, 1997 be received; and,

(b) That the City portion of $586,362.38 be financed from the Reserve for Working Funds, Account Centre No. CH 00172.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

12. (a) That the City of Hamilton continue to support the United Way by participating in the Loaned Representative Program by providing a City employee to work on a full time basis on the annual fund raising campaign in 1998 by the Building Department, and;

(b) That the City of Hamilton promote the United Way Campaign and simultaneously acknowledge the efforts of its dedicated employee by recognizing this employee's contribution at the beginning of a Council meeting after the Loan Representative Program.

13. That Alderman Bob Charters and Alderman Marvin Caplan be appointed to meet with the Hamilton Health Sciences Corporation Board of Trustees respecting the role and mandate of the Corporation of the City of Hamilton representatives on the Board.

14. (a) That the Master Lease between The Regional Municipality of Hamilton-Wentworth and the City of Hamilton be amended by increasing the space leased by the Region at City Hall by approximately 7,453 square feet (first floor); and,

(b) That the rental payment be increased (7,453 x $12 per square foot) by $89,436 per annum or $7,453 per month and that any further lease area amendments be calculated at a rate of $12 per square foot; and,

(c) That the lease commence thirty (30) days after the Region has completed its tenant improvements which improvements are to be at the Region's cost; and,

(d) That the Mayor and City Clerk be authorized and directed to execute a Lease Amendment Agreement in a form satisfactory to the City Solicitor.

15. That the appropriate By-law to authorize a Municipal Capital Facility Agreement with the Hamilton East Kiwanis Boys' and Girls' Club Inc. be enacted by City Council.

16. (a) That the City of Hamilton host a Civic Reception - Crew/Volunteer Appreciation Night on 1998 June 19 for the 1998 Hamilton International Air Show, at a cost not to exceed $5,000.; and,

(b) That the funding for this expenditure be financed from the Special Civic receptions and Delegations Hostings Account No. CH 55314 84010.

17. (a) That the composition of the Hamilton Farmers' Market Sub-Committee be amended by increasing the number of City Council representatives from two to three and reducing the number of Citizen members from two to one; and,

(b) For the information of City Council, the Finance and Administration Committee have made the following appointments to the Hamilton Farmers' Market Sub-Committee;

Alderman Marvin Caplan
Alderman Bill Kelly
Alderman Duke O'Sullivan
Mr. Frank Berry (for a term to expire 2000 November 30)

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Morelli, Haining, Wilson, Charters, Jackson, Anderson, Kelly, O'Sullivan. -10.

NAYS: Aldermen Kiss, Horwath, Corsini, Copps, Eisenberger, Collins, D'Amico.-7. **CARRIED.**

18. (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 319-321 King Street East
(ii) 647-649 King Street East
(iii) 1063-1071 Barton Street East

(b) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law.

19. (a) That the Community Energy Opportunities in Hamilton Study (Executive Summary) dated 1997 December, prepared by the Energy Technology Centre, Natural Resources Canada, available for viewing in the office of the Committee Secretary, be accepted; and,

(b) That the concept of a Community Energy System for Downtown Hamilton be pursued by the City/Region and Natural Resources Canada, on a cost shared basis subject to inclusion in the 1998 Capital Budget, by proceeding with the development process including the completion of various investigations that amongst other things will, confirm the heating loads of potential users of energy, confirm the economics of the cooling component, identify the various options for partners as far as capital investment and energy sources, complete a market survey of potential users, detail the options available for the ownership and operation of the project, map out the various options for implementation, investigate and detail the various legal implications and necessary contractual arrangements for the supply of heating and cooling; and,

(c) That a joint City/Region - Staff Technical Advisory Group and Political Steering Committee be established as a Community Energy Group to further develop the project. The staff group will among other tasks, appoint a project leader, coordinate the completion of a detailed feasibility study including full economic assessment and development options, conduct an initial marketing

campaign, investigate the interest from outside parties and broaden the scope of the study to include a cooling component of the Community Energy System. Work done by the Staff Group will be directed through the Steering Committee to the City Finance & Administration Committee and Regional Environmental Services Committee; and,

(d) That Alderman Bob Charters be appointed as the City of Hamilton representative on this Steering Committee; and,

(e) That the Regional Municipality of Hamilton Wentworth and the Energy Technology Group, Natural Resources Canada be informed of this decision.

20. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-15 A By-law to Authorize a Municipal Capital Facility Agreement with the Hamilton East Kiwanis Boys' and Girls' Club Inc.

(b) D-16 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. O'SULLIVAN, VICE-CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Kevin C. Christenson
Acting Secretary
1998 February 17

1998 February 24

Appendix "A" referred to in Section 6 of the **SIXTH** Report of the Finance and Administration Committee for 1998

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1997

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) **Members of Council**

	Salary*
Agro, V. J.	18,916.32
Anderson, T.	20,492.68
Caplan, M.	20,492.68
Collins, C.	20,492.68
Charters, R.	20,492.68
Copps, G.	20,492.68
Corsini, R.P.	1,576.36
D'Amico, F.	20,492.68
Drury, D.	18,916.34
Eisenberger, F.	20,492.68
Haining, D.C.	1,576.36
Horwath, A.L.	1,576.36
Jackson, T.	20,492.68
Kelly, W.P.	1,576.36
Kiss, M.	20,492.68
McCulloch, W.	18,916.32
Merling, H.	18,916.32
Morelli, B.	20,492.68
Morrow, R.	65,576.16
O'Sullivan, P.M.	1,576.36
Ross, D.	18,916.32
Wilson, D.	20,492.68
	$393,459.06

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the Municipal Act.

b) Committee of Adjustment

Member-Honourarium

Dudzic, M.	$2,600.00
Serwatuk, D.	2,100.00
Begg. E.	2,100.00
Law, B.	2,100.00
Cutler, R.	2,100.00
	$11,000.00

Member-Conference Expenses

Cutler, R.	$1,166.85
Serwatuk, D.	1,166.85
	$2,333.70

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1997

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	**Honorarium**
Allison, H.	$ 1,000.00
Clothier, R.	500.00
Cooper, H.	1,000.00
Gibson, D.	500.00
Green, R.	200.00
Groves, L.	200.00
Hardie, D.	1,200.00
Holms. M.	1,100.00
Kaut, H.	1,000.00
Korz, G.	1,200.00
Langdon, D.	100.00
MacIntyre, D.	1,100.00
Penko, G.	1,000.00
Reilly, M.	200.00
Taffs, R.	500.00
VanDerbeek, P.	1,550.00
Woodrow, B.	1,200.00
Warner, S.	100.00
	$13,650.00

(d) Historical Board

Member - Conference Expenses	
Newman, J.	$204.97
Reiding, V.	204.97
	$409.94

(e) Local Architectural Conservation Advisory Committee

Member - Conference Expenses	
Rigby, J.	$483.83

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1997

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agro, V. J.	924.65
Anderson, T.	278.06**
Caplan, M.	4,462.36
Charters, R.	2,261.99
Collins, C.	3,001.85
Copps, G.	nil
Corsini, R.P.	23.17**
D'Amico, F.	278.06**
Drury, D.	3,266.97
Eisenberger, F.	278.06**
Haining, D.C.	23.17**
Horwath, A.L.	23.17**
Jackson, T.	278.06**
Kelly, W.P.	23.17**
Kiss, M.	278.06**
McCulloch, W.	10,915.67
Merling, H.	254.89**
Morelli, B.	278.06**
Morrow, R.	41,838.58
O'Sullivan, P.M.	23.17**
Ross, D.	254.89**
Wilson, D.	278.06**
	$69,244.12

**telephone allowance only

(b) Public Library Appointees

Member - Travel and Conference Expenses

Down, G.T.	$ 95.20
Rogers, P.	200.00
Dawna Petsche-Wark	636.28
	$931.48

(c) H.E.C.F.I. Appointees

Member - Travel and Conference Expenses

Alderman T. Anderson	$3,194.10
Alderman Charters	160.38
Mayor Morrow	2,798.26
	$6,152.74

(d) Parking Authority Appointees — Nil

1) Commercial General Liability Insurance

   (a) Primary Liability Coverage from Royal Insurance Company of Canada in the limit of $1,000,000 carrying a deductible of $500,000 at a premium of $98,860;

   (b) Umbrella Liability Coverage from Elliott Special Risks in the limit of $5,000,000 at a premium of $42,300;

   (c) Primary Excess Liability Coverage from Gerling Global General Insurance Company in the limit of $10,000,000 at a premium of $15,000;

   (d) Secondary Excess Liability Coverage from Elliott Special Risks in the limit of $9,000,000 at a premium of $7,000;

2) Automobile Fleet Liability Insurance from Royal Insurance Company of Canada in the limit of $1,000,000 with a premium cost of $108,344;

3) Garage Liability Insurance from Royal Insurance Company of Canada at a limit of $1,000,000 with a premium cost of $16,988;

4) Property Insurance from Royal Insurance Company of Canada (60%) and Gerling Global General Insurance Company (40%) in broad form coverage amount of $525,866,446 with expiring sublimits as enhanced carrying a deductible of $100,000 at a premium of $175,417;

5) Boiler Insurance from Royal Insurance Company of Canada at a premium cost of $18,879;

6) Crime Insurance from Chubb Insurance Company of Canada at the expiring limits carrying a deductible of $10,000 at a premium cost of $19,000;

7) Multimedia Liability Insurance from Royal Insurance Company of Canada at the expiring limits and deductibles and a premium cost of $1,950;

8) Public Officials Liability Insurance from London Guarantee Insurance Company Limited, with a limit of 5,000,000 per occurrence and a deductible of $10,000. including the Corporation of the City of Hamilton, all elected persons, employees, boards, and captive corporations as Named Insureds with the exception of HECFI at a premium cost of $39,000; and

9) Executive Liability and Indemnification Coverage with Chubb Insurance Company of Canada in respect of HECFI in the expiring limit of $3,000,000 and expiring premium of $7,130.

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. That Alderman B. Morelli be appointed Chairman of the Committee of the Whole for the months of March, April and May, 1998.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE

J.J. Schatz, Secretary
1998 February 24

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1998 and respectfully recommends:

1. That City Council endorse the amended Policy Guidelines and Associated Procedures for the Mayor's Committee Against Racism and Discrimination, attached hereto as Appendix "A", which provides for the following significant changes:

   (a) The merger of the Committee and its Advisory Council to form one Committee; and,

   (b) The reduction in the size of the Committee; and,

   (c) The Committee structure will include the Mayor as the Honourary Chairperson, two Aldermanic members, one of whom will be appointed by the Mayor as a Co-Chairperson, and, the election of a citizen Co-Chairperson from the seven citizen members. The Co-Chairpersons shall alternate presiding over the meetings and activities of the Committee in the absence of the Mayor; and,

2. That the Policy Guidelines and Associated Procedures become effective immediately upon adoption by the City Council.

Respectfully submitted

ROBERT M. MORROW
MAYOR

Debbie-Ann Rashford, Secretary
1998 February 20

Referred back with instructions that this Report be referred to the Committee of the Whole meeting scheduled on February 27, 1998.

Appendix "A"

POLICY GUIDELINES AND ASSOCIATED PROCEDURES FOR THE CITY OF HAMILTON'S MAYOR'S COMMITTEE AGAINST RACISM AND DISCRIMINATION

THE HAMILTON MAYOR'S COMMITTEE AGAINST RACISM AND DISCRIMINATION

A Committee of City Council Will Deal With Issues Relating to Racism and Discrimination

1. The Hamilton Mayor's Committee Against Racism and Discrimination will hereafter be called "The Committee".

2. The Committee will consist of **seven** citizen members. The Committee will also include the Mayor and two Aldermen. **[total 10]**

3. The Committee should strive to be reflective of the diversity in the community.

4. The Committee shall conduct monthly meetings excluding the months of July, August and December, at dates and times to be determined, or at the call of the Chair.

5. The Mayor will be the Honourary Chairperson (hereafter referred to as "Chairperson") of the Committee and will appoint one of the Aldermanic members to be a Co-Chairperson. The Committee members will elect a Co-Chairperson from the citizen members. The Co-Chairpersons shall alternate presiding over meetings and activities of the Committee in the absence of the Mayor.

6. The Committee will recommend seminars and programmes for the development of its members.

7. The Committee Secretary, a Legislative Assistant appointed by the Clerk's Office, will be responsible for attending and recording regularly scheduled meetings.

8. The Committee will be responsible for financial, media, mediation, membership, and public awareness issues, to be dealt with at the regularly scheduled meetings.

9. The Committee may strike any Ad Hoc Committee for a special project, event or issue as (if) the need arises.

- City and Region - Human Resources Department
- The Corporation of the City of Hamilton - Union Representative
- Hamilton-Wentworth Regional Police
- Hamilton-Wentworth District School Board
- Hamilton-Wentworth Catholic District School Board
- Hamilton & District Labour Council
- Council of Churches
- Ontario Anti-Racism Secretariat

Other resource persons as may be required will be invited to attend as well.

TERMS OF REFERENCE

The Mayor's Committee Against Racism and Discrimination recognizes that the inherent dignity and the equal inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world and is in accord with the Universal Declaration of Human Rights as proclaimed by the United Nations.

And, since it is public policy in Ontario to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination that is contrary to law, and having as its aim the creation of a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community. These principles have been confirmed in Ontario by a number of enactments of the Legislature and it is desirable to revise and extend the protection of human rights.

Therefore, it shall be the duty of the Mayor's Committee Against Racism and Discrimination to:

1. Advise and consult with the Mayor and to report to City Council, on relevant issues relating to anti-racism and anti-discrimination in the community of Hamilton and area.

2. To outreach to Native Communities in an effort to learn, understand, respect and convey the special status of Native peoples (Aboriginal of this Country), as well as their rights, whether it be Aboriginal or Treaty.

3. To work actively with the Hamilton-Wentworth Regional Police Services, the Hamilton-Wentworth District and Catholic District School Boards, and other relevant organizations and institutions to foster a spirit of mutual understanding of issues pertaining to racism and discrimination.

4. Encourage every person, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability, to engage in programmes for the improvement of community relations and the fulfilment of Human Rights.

5. Initiate and facilitate discussions between individuals and/or groups to lessen tensions and promote understanding in the community.

6. Receive, review, facilitate and offer assistance to complainants as required on matters of tension, prejudice, racism and practices of discrimination.

7. Make recommendations to the Municipality on issues relating to Employment Equity as well as issues promoting Anti-Racism and Anti-Discrimination.

SELECTION OF MEMBERS TO COMMITTEE

1. Application for membership to the Committee will be invited by advertisement in the local media and letters sent to minority and community organizations in the Hamilton area requesting their interested members to apply for membership on the Committee.

2. Criteria for selection of members for the Committee will be primarily the applicant's involvement in and commitment to combatting racism and discrimination within the community. The Committee complement should be representative of the various groups within the community.

3. The Selection Committee will consist of the Committee Chairperson, past citizen Co-Chairperson, and two Aldermen. A quorum of three members is required for the Selection Committee.

4. The Mayor will call the first meeting of the Committee in January. At this first meeting, members will select the citizen Co-Chairperson by secret ballot.

5. The names of those selected will be presented to City Council at the next scheduled meeting.

6. Members are expected to attend all meetings on a regular basis. Members who are absent from **two** consecutive meetings without due cause, will be advised in writing that they shall cease to be a member.

CONDUCT OF BUSINESS IN THE COMMITTEE

1. The Chairperson, or in the absence of the Chairperson a Co-Chairperson, shall preside and shall have a vote on all questions submitted. In case of an equal division the question shall be decided in the negative.

2. A quorum shall consist of 6 Committee members.

3. Excluding the months of July, August and December, the Committee shall conduct monthly meetings, at dates and times yet to be determined.

4. Special meetings may be arranged at the call of the Chairperson. Special meetings may also be requested by a minimum of six Committee members, upon the provision of one weeks notice.

5. Annually, in October the Committee shall determine its projects e.g. dinners, workshops, manuals, for the new year in order to plan the agenda and calculate budget requirements.

6. Expenditures exceeding $50.00 must be approved by the Committee.

7. Attendance at conferences, workshops, seminars etc. shall not be limited solely to the Co-Chairpersons.

8. It will be necessary for a member who has attended a conference, workshop, or seminar on behalf of the Committee, to prepare a written report on the event, and present the report at the next regularly scheduled meeting.

APPLICATION PROCESS

Citizen members will be selected on the basis of experience, awareness of anti-racism policies, membership in native groups, various Hamilton community groups or agencies serving the needs of such groups.

City Council encourages the submission of applications by individuals who may be considered for appointment to the Committee. Submission should include a biographical note including his/her qualifications and experience as well as an indication of the nominees' willingness to serve.

Applications should be forwarded to the City Clerk's Department, Membership, Mayor's Committee Against Racism and Discrimination, City Hall, 71 Main Street West, Hamilton, ON L8P 4Y5

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Committee of the Whole\Hamilton City Council
Friday, 1998 February 27
9:30 o'clock a.m.
Council Chamber, City Hall

URBAN MUNICIPAL
MAR 24 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor R. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole and His Worship Mayor Robert M. Morrow, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - FIFTH REPORT

Scott MacDonald Limited

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - FIRST REPORT

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of His Worship Mayor R. M. Morrow, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 11:45 o'clock a.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 February 27
/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIFTH** Report for 1998 and respectfully recommends:

1. (a) That Section 3 of the First Report of the Finance and Administration Committee, approved by City Council at its meeting held Thursday, 1997 December 11th be reconfirmed as follows:

"(a) That the City resolve all outstanding issues of City of Hamilton -ats- Scott MacDonald Limited in Ontario Court (General Division) Action No. 408/97 by accepting the Plaintiff's Offer of Settlement and approving the Minutes of Settlement signed by counsel for both parties dated 1997 November 25th; and,

(b) That a Task Force be struck comprised of Mayor R. Morrow, Alderman C. Collins, Alderman D. O'Sullivan, Alderman R. Corsini, Alderman A. Horwath and Alderman D. Wilson to meet with Sandy MacDonald to arrive at a mutaully agreeable solution to bring forward for Council's consideration by 1998 February 28th."

(b) That inasmuch as a mutually agreeable solution was not reached, that the above-noted Task Force work with staff to compile the Proposal call for the use of the Marina property.

2. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-003 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 February 27

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1998 and respectfully recommends:

1. That City Council endorse the amended Policy Guidelines and Associated Procedures for the Mayor's Committee Against Racism and Discrimination, attached hereto as Appendix "A", which provides for the following significant changes:

   (a) The merger of the Committee and its Advisory Council to form one Committee; and,

   (b) The reduction in the size of the Committee; and,

   (c) The Committee structure will include the Mayor as the Honourary Chairperson, two Aldermanic members, one of whom will be appointed by the Mayor as a Co-Chairperson, and, the election of a citizen Co-Chairperson from the seven citizen members. The Co-Chairpersons shall alternate presiding over the meetings and activities of the Committee in the absence of the Mayor; and,

2. That the Policy Guidelines and Associated Procedures become effective immediately upon adoption by the City Council.

Respectfully submitted

ROBERT M. MORROW
MAYOR

Debbie-Ann Rashford, Secretary
1998 February 20

Appendix "A" as referred to in Section 1 of the First Report of His Worship Mayor Robert M. Morrow for 1998

POLICY GUIDELINES AND ASSOCIATED PROCEDURES FOR THE CITY OF HAMILTON'S MAYOR'S COMMITTEE AGAINST RACISM AND DISCRIMINATION

THE HAMILTON MAYOR'S COMMITTEE AGAINST RACISM AND DISCRIMINATION

A Committee of City Council Will Deal With Issues Relating to Racism and Discrimination

1. The Hamilton Mayor's Committee Against Racism and Discrimination will hereafter be called "The Committee".

2. The Committee will consist of **seven** citizen members. The Committee will also include the Mayor and two Aldermen. **[total 10]**

3. The Committee should strive to be reflective of the diversity in the community.

4. The Committee shall conduct monthly meetings excluding the months of July, August and December, at dates and times to be determined, or at the call of the Chair.

5. The Mayor will be the Honourary Chairperson (hereafter referred to as "Chairperson") of the Committee and will appoint one of the Aldermanic members to be a Co-Chairperson. The Committee members will elect a Co-Chairperson from the citizen members. The Co-Chairpersons shall alternate presiding over meetings and activities of the Committee in the absence of the Mayor.

6. The Committee will recommend seminars and programmes for the development of its members.

7. The Committee Secretary, a Legislative Assistant appointed by the Clerk's Office, will be responsible for attending and recording regularly scheduled meetings.

8. The Committee will be responsible for financial, media, mediation, membership, and public awareness issues, to be dealt with at the regularly scheduled meetings.

9. The Committee may strike any Ad Hoc Committee for a special project, event or issue as (if) the need arises.

10. Non-voting resource persons from the following list shall be invited to attend the meetings of the Committee:

- City and Region - Human Resources Department
- The Corporation of the City of Hamilton - Union Representative
- Hamilton-Wentworth Regional Police
- Hamilton-Wentworth District School Board
- Hamilton-Wentworth Catholic District School Board
- Hamilton & District Labour Council
- Council of Churches
- Ontario Anti-Racism Secretariat

Other resource persons as may be required will be invited to attend as well.

TERMS OF REFERENCE

The Mayor's Committee Against Racism and Discrimination recognizes that the inherent dignity and the equal inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world and is in accord with the Universal Declaration of Human Rights as proclaimed by the United Nations.

And, since it is public policy in Ontario to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination that is contrary to law, and having as its aim the creation of a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community. These principles have been confirmed in Ontario by a number of enactments of the Legislature and it is desirable to revise and extend the protection of human rights.

Therefore, it shall be the duty of the Mayor's Committee Against Racism and Discrimination to:

1. Advise and consult with the Mayor and to report to City Council, on relevant issues relating to anti-racism and anti-discrimination in the community of Hamilton and area.

2. To outreach to Native Communities in an effort to learn, understand, respect and convey the special status of Native peoples (Aboriginal of this Country), as well as their rights, whether it be Aboriginal or Treaty.

3. To work actively with the Hamilton-Wentworth Regional Police Services, the Hamilton-Wentworth District and Catholic District School Boards, and other relevant organizations and institutions to foster a spirit of mutual understanding of issues pertaining to racism and discrimination.

4. Encourage every person, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability, to engage in programmes for the improvement of community relations and the fulfilment of Human Rights.

5. Initiate and facilitate discussions between individuals and/or groups to lessen tensions and promote understanding in the community.

6. Receive, review, facilitate and offer assistance to complainants as required on matters of tension, prejudice, racism and practices of discrimination.

7. Make recommendations to the Municipality on issues relating to Employment Equity as well as issues promoting Anti-Racism and Anti-Discrimination.

SELECTION OF MEMBERS TO COMMITTEE

1. Application for membership to the Committee will be invited by advertisement in the local media and letters sent to minority and community organizations in the Hamilton area requesting their interested members to apply for membership on the Committee.

2. Criteria for selection of members for the Committee will be primarily the applicant's involvement in and commitment to combatting racism and discrimination within the community. The Committee complement should be representative of the various groups within the community.

3. The Selection Committee will consist of the Committee Chairperson, past citizen Co-Chairperson, and two Aldermen. A quorum of three members is required for the Selection Committee.

4. The Mayor will call the first meeting of the Committee in January. At this first meeting, members will select the citizen Co-Chairperson by secret ballot.

5. The names of those selected will be presented to City Council at the next scheduled meeting.

6. Members are expected to attend all meetings on a regular basis. Members who are absent from **two** consecutive meetings without due cause, will be advised in writing that they shall cease to be a member.

CONDUCT OF BUSINESS IN THE COMMITTEE

1. The Chairperson, or in the absence of the Chairperson a Co-Chairperson, shall preside and shall have a vote on all questions submitted. In case of an equal division the question shall be decided in the negative.

2. A quorum shall consist of 6 Committee members.

3. Excluding the months of July, August and December, the Committee shall conduct monthly meetings, at dates and times yet to be determined.

4. Special meetings may be arranged at the call of the Chairperson. Special meetings may also be requested by a minimum of six Committee members, upon the provision of one weeks notice.

5. Annually, in October the Committee shall determine its projects e.g. dinners, workshops, manuals, for the new year in order to plan the agenda and calculate budget requirements.

6. Expenditures exceeding $50.00 must be approved by the Committee.

7. Attendance at conferences, workshops, seminars etc. shall not be limited solely to the Co-Chairpersons.

8. It will be necessary for a member who has attended a conference, workshop, or seminar on behalf of the Committee, to prepare a written report on the event, and present the report at the next regularly scheduled meeting.

APPLICATION PROCESS

Citizen members will be selected on the basis of experience, awareness of anti-racism policies, membership in native groups, various Hamilton community groups or agencies serving the needs of such groups.

City Council encourages the submission of applications by individuals who may be considered for appointment to the Committee. Submission should include a biographical note including his/her qualifications and experience as well as an indication of the nominees' willingness to serve.

Applications should be forwarded to the City Clerk's Department, Membership, Mayor's Committee Against Racism and Discrimination, City Hall, 71 Main Street West, Hamilton, ON L8P 4Y5

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Hamilton City Council
Tuesday, 1998 March 10
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL
MAR 16 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Acting Mayor Corsini.
Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Mayor R. Morrow - Civic Business

Acting Mayor R. Corsini, called the meeting to order.

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The National Anthem was sung.

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Rabbi Irwin Zeplowitz, Anshe Sholom Synagogue led Council in prayer.

ADOPTION OF MINUTES

The minutes of the following meetings were adopted as circulated.

(a) 1998 February 24 (regular meeting)
(b) 1998 February 27 (special meeting)

CORRESPONDENCE

1. Application dated 1998 February 26 from 819802 Ontario Limited, Giovanni Fortino, 7055 Twenty Road East, Hannon, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "RT-30" (Street - Townhouse) District modified for 41 and 51 Wilson Street & 99 John Street North, Hamilton, Ontario

   Received.

2. Letter dated 1998 March 5 from Dennis Concordia, Board Member, Police Services Board Re: Graffiti Task Force Advisory Committee.

   Referred to the Transport and Environment Committee.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTH REPORT

Section 2 Re: Red Hill Valley Lands

Recorded vote.

YEAS: Aldermen Caplan, Morelli, Haining, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -11.

NAYS: Acting Mayor Corsini, Aldermen Kiss, Horwath, Copps, Wilson.- 5. **CARRIED.**

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Rule No. 9 Re: Parking Regulation

It was moved by Alderman Collins and seconded by Alderman Wilson that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution and by-law respecting a parking regulation at the intersection of Reid Avenue South and Central Avenue. **CARRIED.**

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Section 26 Re: Parking Regulation

It was moved by Alderman Collins and seconded by Alderman Wilson that the following resolution be added as Section 26 of the Fifth Report of the Transport and Environment Committee for 1998:

26. (a) That the existing northbound stop sign at the intersection of Reid Avenue South and Central Avenue be replaced with a yield sign and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the following Bill be adopted, signed, sealed and enrolled as a By-law:

(i) A-28 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic.

CARRIED.

PARKS AND RECREATION COMMITTEE - FOURTH REPORT

Section 2 Re: Hamilton Civic Golf Courses 1998 Rates and Fees - Appendix "A"

It was moved by Alderman Kiss and seconded by Alderman Caplan that Appendix "A" as referred to in Section 4 of the Fourth Report of the Parks and Recreation Committee for 1998 regarding the Hamilton Civic Golf Courses 1998 Rates and Fees be deleted and replaced with the attached schedule. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FIFTH REPORT

Section 3 Re: Mohawk College Residence

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Copps, Charters, Jackson, D'Amico, O'Sullivan. -6.

NAYS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Eisenberger, Collins, Anderson, Kelly. -9. **LOST.**

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Section 16 Re: Mohawk College

It was moved by Alderman Eisenberger and seconded by Alderman Kelly that the following be added as Section 16 of the Fifth Report of the Planning and Development Committee for 1998:

16. (a) That Amended Application 97-28, Mohawk College of Applied Arts and Technology, owner, for an Official Plan Amendment, to establish a "Special Policy Area", to permit a private recreational facility within the "Major Institutional" designation, for "Block 1" only, for lands located at No. 135 Fennell Avenue West, as shown on the attached Appendix "C", be approved; and,

(b) That Amended Zoning Application 97-28, Mohawk College of Applied Arts and Technology, owner, for a modification to the established "B" (Suburban Agriculture and Residential, etc.) District regulations, for Blocks "1" and "2", for lands located at No. 135 Fennell Avenue West, to permit development of Block "1" for a student residence containing a maximum of 250 units or a student residence containing a maximum of 180 units and a private tennis club, as shown on the attached map marked as Appendix "C", be approved; and,

(c) That all the terms and conditions identified in the Staff Report dated 1998 March 4, apply to this zoning application as approved.

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Section 16 Re: Mohawk College Residence

It was moved by Alderman Jackson and seconded by Alderman Collins that Section 3 of the Fifth Report for 1998 of the Planning and Development Committee respecting a Zoning Application from Mohawk College for property at 135 Fennell Avenue West be tabled for one month in order for all parties involved to try to reach a mutually agreeable solution.

Recorded vote on motion to table.

YEAS: Aldermen Kiss, Horwath, Haining, Copps, Collins, Charters, Jackson, O'Sullivan. -8.

NAYS: Acting Mayor Corsini, Aldermen Caplan, Morelli, Wilson, Eisenberger, Anderson, Kelly, D'Amico. -8. **LOST ON A TIE VOTE**

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Recorded vote to approve Section 16.

YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Wilson, Eisenberger, Collins, Anderson, Kelly. -9.

NAYS: Acting Mayor Corsini, Aldermen Haining, Copps, Charters, Jackson, D'Amico, O'Sullivan. -7. **CARRIED.**

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Section 4 Re: Urban Entertainment Centre

It was moved by Alderman Copps and seconded by Alderman Caplan that Section 4 of the FIFTH Report of the Planning and Development Committee for 1998 be amended by inserting the word "family" before the words "urban entertainment centre". **CARRIED.**

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Section 15 Re: By-law C-45: A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 96-113 Respecting Land Located at the South-West Corner of Chedmac Drive and Rice Avenue (Municipally Known as No. 60 Rice Avenue).

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 15 of the **FIFTH** Report of the Planning and Development Committee be amended by adding sub-section (f) as follows:

C-45 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 96-113 Respecting Land Located at the South-West Corner of Chedmac Drive and Rice Avenue (Municipally Known as No. 60 Rice Avenue).

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTH REPORT

Section 1(b) City's representative to the Hamilton Harbour Commission

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Sub-section 1 (b) of the Seventh Report of the Finance and Administration Committee for 1998:

(b) That the City's representative to the Hamilton Harbour Commission be requested to provide the City with the Commission's Proposed Perimeter Road Plan for review by the City's Finance and Administration Committee at its 1998 March 24th meeting.

CARRIED.

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Section 12 Re: Hamilton Parking Authority

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Caplan, Horwath, Morelli, Haining, Wilson, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Eisenberger, Anderson. -4. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - EIGHTH REPORT

CITY OF HAMILTON LICENSING COMMITTEE - FIRST REPORT

* *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:25 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell
1998 March 10
SGH/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1998 and respectfully recommends:

1. That the by-law to sell portions of closed Garnet Avenue and MacLanders Street designated as Part 18 on Plan 62R-11788, be prepared to the satisfaction of the City Solicitor and be enacted by City Council.

2. That the by-law be prepared to the satisfaction of the City Solicitor and be enacted by City Council to sell portions of closed road allowances where the lands already abut the City or Regional lands designated as:

   (a) Part of Part 9 on Plan 62R-11165
   (b) Part of Part 4 on Plan 62R-11164
   (c) Part of Part 4 on Plan 62R-11340
   (d) Part of Part 2 on Plan 62R-11249
   (e) Part of Part 1 on Plan 62R-11263
   (f) Part of Part 1 on Plan 62R-11231

Recorded vote.

YEAS: Aldermen Caplan, Morelli, Haining, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -11.

NAYS: Acting Mayor Corsini, Aldermen Kiss, Horwath, Copps, Wilson.- 5. **CARRIED.**

3. That the existing "Alternate Side Parking" regulation on Barnesdale Avenue South between Vineland Avenue and Dunsmure Road be replaced with a "No Parking" regulation on the east side and unrestricted parking on the west side of the street in this block, and that the City Tratfic By-law No. 89-72 be amended accordingly.

4. (a) That a "Permit Parking" regulation be implemented on the east side of Avondale Street commencing at a point 124 feet north of Primrose Avenue and extending to a point 18 feet northerly therefrom, and on the west side of Avondale Street, commencing at a point 39 feet north of Primrose Avenue and extending to a point 18 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Joseph Kin, No. 3 - 114 Avondale Street.

5. (a) That a "Permit Parking" regulation be implemented on the east side of East 19th Street commencing at a point 232 feet south of Concession Street and extending to a point 16 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. T. Nixon, No. 25 East 19th Street.

6. That the existing "No Parking" regulation on the north side of Macauley Street West commencing at a point 228 feet west of MacNab Street North and extending to a point 27 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

7. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Angela Avenue between West 31st Street and West 32nd Street; and,

(b) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 32nd Street between Angela Avenue and Leslie Avenue; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

8. (a) That a "Permit Parking" regulation be implemented on the east side of East 8th Street commencing at a point 396 feet south of Queensdale Avenue East and extending to a point 22 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Rose VanHoek, No. 215 East 8th Street.

9. (a) That westbound traffic on Towercrest Drive be required to stop for northbound and southbound traffic on Colin Crescent; and,

(b) That a "No Parking" regulation be implemented on the north side of Towercrest Drive commencing at a point 109 feet east of Colin Crescent and extending to a point 40 feet easterly therefrom; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

10. (a) That a "Permit Parking" regulation be implemented on the north side of Clinton Street commencing at a point 78 feet east of Barnesdale Avenue North and extending to a point 17 feet easterly therefrom, and on the south side of Clinton Street commencing at a point 61 feet east of Barnesdale Avenue North and extending to a point 18 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Eileen Laslo-Doyle, No. 77 Clinton Street.

11. (a) That a "No Stopping" corner clearance be implemented on the east side of Hummingbird Lane commencing at Skylark Drive and extending to a point 64 feet northerly therefrom; and,

(b) That a "No Stopping" corner clearance be implemented on the west side of Hummingbird Lane commencing at Skylark Drive and extending to a point 75 feet northerly therefrom; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

12. That southbound traffic on Bernard Street and Blair Avenue be required to stop for eastbound and westbound traffic on Martha Street, and that the City Traffic By-law No. 89-72 be amended accordingly.

13. That all-way stop control be implemented at the intersection of Kirkfield Road and Springside Drive and that the City Traffic By-law No. 89-72 be amended accordingly.

14. That a "Commercial Vehicle Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Crockett Street commencing at a point 25 feet west of East 22nd Street and extending to a point 30 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

15. That the existing full-time "No Parking - Loading Only" regulation on the north side of King William Street commencing at a point 32 feet west of Hughson Street and extending to a point 30 feet westerly therefrom be revised such that it is in effect from 8:00 a.m. to 6:00 p.m., Monday to Saturday, and that the City Traffic By-law No. 89-72 be amended accordingly.

16. That a "Wheelchair Loading Zone, 8:00 a.m. to 5:00 p.m., seven days a week" regulation be implemented on the south side of Florence Street commencing at a point 83 feet west of Ray Street North and extending to a point 25 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

17. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of East 27th Street commencing at a point 121 feet north of Burkholder Drive and extending 45 feet northerly, and the City Traffic By-law No. 89-72 be amended accordingly.

18. (a) That the following City lands be incorporated into the following streets:

Arrowsmith Road	Parts 2 and 3	62R-14277
Centennial Parkway	Part 1	62R-14277
Jacqueline Boulevard	Block 37	62M-778

(b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the City Solicitor and be enacted by Council; and,

(c) That the Commissioner of Transportation be authorized and directed to register the by-laws.

19. That the application of The Runner's Den Running Club, to temporarily close Jackson Street, between John Street South and Catharine Street South on Saturday 1998 March 14, from 1:30 o'clock p.m. to 6:00 o'clock p.m., to hold a 10 km road race, be approved, subject to the following conditions:

(a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

(b) That the applicant provide proof of $2,000,000 public liability insurance naming the City and the Region as added insured parties with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton, on the affected roadways, if deemed necessary by the Commissioner of Transportation; and,

(f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.

20. (a) That the Commissioner of Public Works and Traffic be authorized and directed to construct a 1.5m wide sidewalk on the south side of Glen Road between Bond Street North and Longwood Road North; and,

(b) That the cost of the sidewalk estimated at $35,000 be charged to Account No. CH51401 60132, Sidewalk Curb Repairs.

21. (a) That the proposed alteration of Ferguson Avenue North from King to King William Street to provide for a 6.25m road width as shown on Appendix "A", attached hereto, be advertised under Section 300 of the Municipal Act being Chapter M.45 of the Revised Statutes of Ontario 1990; and,

(b) That the necessary by-law be prepared by the Commissioner of Public Works and Traffic in a form satisfactory to the City Solicitor and advertised by the City Clerk.

22. (a) That a School Crossing Guard be assigned to the intersection of Limeridge Road East and Lennox Street during the morning and evening school crossing periods up until the approval of the 1998 Departmental Budget; and,

(b) That said assignment be subject to the approval of an expansion package of approximately $4,000, plus administrative costs, which will be presented during the 1998 current budget deliberations; and,

(c) That the Hamilton-Wentworth District School Board be advised of this action and requested to consider removing the bus service to Lisgar School.

23. That the existing "Three Way Stop Control" at the intersection of Berkindale Drive and Sylvester Street be confirmed as a permanent amendment to the City Traffic By-law No. 89-72.

24. (a) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

"BRIGADOON PARK", Hamilton
City's Share - $186,754.58, Owner's Share - $103,296.53

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Brigadoon Park", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that work not be commenced until the Final Plan and Subdivision Agreement has been registered; and,

(d) That in the event the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for pre-servicing; and,

(e) That the City accept the lands for Nairne Street, shown as Parts 1 to 7 (inclusive) on Reference Plan 62R-14441, which lands will be dedicated to the City from the Ontario Realty Corporation by deed for $1; and,

(f) That upon registration of the Final Plan, the City Solicitor be authorized and directed to prepare a by-law for the establishment of Nairne Street and Brigadoon Drive as public highways, excepting a 1' (0.30 metre) reserve which will be established along the west side of Nairne Street; and,

(g) That the City's share of services in "Brigadoon Park", Hamilton ($186,754.58) be approved and that the Finance and Administration Committee recommend the source of funding.

25. That the following Bills be adopted, signed, sealed and enrolled as By-law:

(a) A-21 A By-law to Sell a Closed Portion of Garnet Avenue and MacLanders Street Designated as Part 18 on Plan 62R-11788

(b) A-22 A By-law to sell parts of the Closed Original Road Allowance between Lots 32 and 33 Concession 4 and between Concessions 3 and 4 and between Lots 30 and 31 Concession 3 all in the geographic Township of Saltfleet and part of closed Woodward Avenue and part of the closed Woodward Avenue Traffic Circle

(c) A-23 A By-law to Incorporate City Land Designated as Parts 2 and 3 on Plan 62R-14277 into Arrowsmith Road

(d) A-24 A By-law to Incorporate City Land Designated as Part 1 on Plan 62R-14277 into Centennial Parkway

(e) A-25 A By-law to Incorporate City Land Designated as Block 37 on Plan 62M-778 into Jacqueline Boulevard

(f) A-26 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

(g) A-27 A By-law to amend Traffic By-law No. 89-72 to Regulate Traffic

26. (a) That the existing northbound stop sign at the intersection of Reid Avenue South and Central Avenue be replaced with a yield sign and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the following Bill be adopted, signed, sealed and enrolled as a By-law:

(i) A-28 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic. **ADDED.**

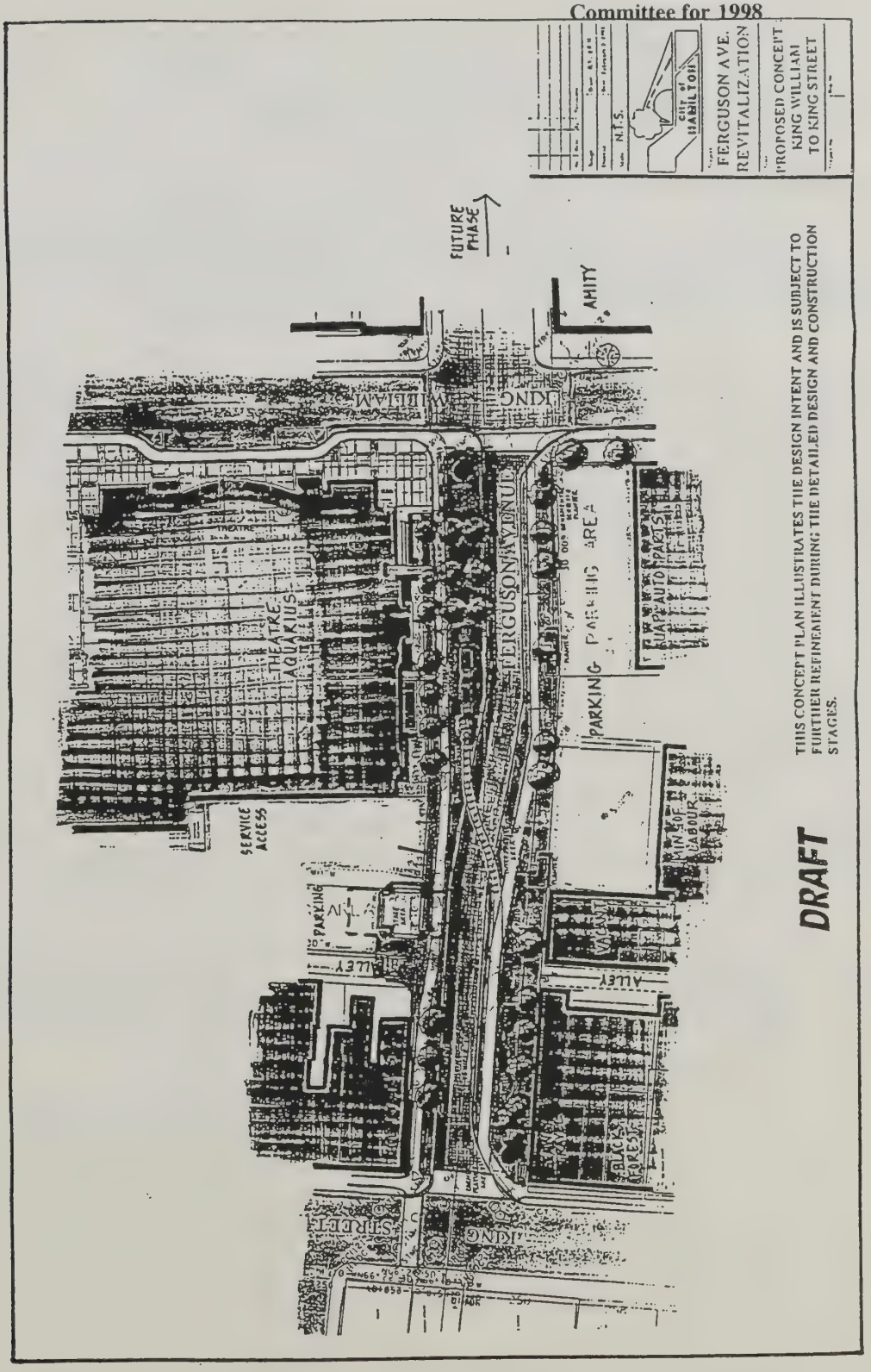
Respectfully Submitted,

ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson
Secretary

1998 March 2nd

Appendix "A" as referred to in Section 21 of the Fifth Report of the Transport and Environment Committee for 1998



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. That approval as required by Section 17 (1) and Section 26 of the Fireworks By-law No. 90-198 and Section 5 and Section 11 of Parks By-law No. 95-126 as amended, be given to the organizations as follows:

   (a) Kirkendall Recreation Association, Highland Gardens Park
   1998 May 18 - Rain Date 1998 May 19; and,

   (b) Feast of St. Anthony's Celebrations, Ivor Wynne Stadium
   1998 June 14; and,

   (c) Communita Raculmutese Maria SS Del Monte, Bayfront Park
   1998 June 21

   to hold a Fireworks Display and serve alcoholic beverages on City Property on dates specified, subject to the Terms and Conditions of the Special Event Guidelines.

2. (a) That approval as required by Parks By-law No. 95-126, Section 11, to sell alcoholic beverages; Section 29, to park vehicles in a park; Section 35, to bring horses in a park and Section 37, to bring animals into a park, be given to the following organizations:

   (i) Hamilton Folk Arts Heritage Council, It's Your Festival - Gage Park
   1998 June 27 to July 1, 12:00 o'clock noon to 11:00 o'clock p.m.; and,

   (ii) The Corporation of the City of Hamilton - Hamilton Children's Museum 20th Birthday Party - Gage Park, 1998 July 16 (rain date Friday 1998 July 17); and,

   (b) That approval as required by Parks By-law No. 95-126 as amended, Section 11, be given to the following organizations to allow the sale of alcohol in a park:

(i) Portuguese Association of St. Michael, Festival - Dundurn Park Pavilion 1998 June 5, June 6 and June 7, 12:00 o'clock noon to 11:00 o'clock p.m.; and,

(ii) Art Gallery of Hamilton, Fundraising Event - Commonwealth Square 1998 June 6; and,

(iii) Hamilton & District Labour Council, Parade/Picnic Dundurn Park Pavilion 1998 September 7, 8:00 o'clock a.m. to 11:00 o'clock p.m.; and,

(c) That approval as required by Parks By-law No. 95-126, Section 29, park vehicles in a park; Section 35, to bring horses in a park; and Section 37, to bring animals into a park, be given to Hamilton-Wentworth Creative Arts Inc. on the occasion of Earthsong Festival in Kay Drage Park, 1998 July 1 to July 5 and Festival of Friends in Gage Park, 1998, August 7 to August 9 from 12:00 o'clock noon to 11:00 o'clock p.m.; and,

(d) That approval as required by Parks By-law No. 95-126, Section 35 - to bring horses in a park and Section 37 to bring animals in a park be given to the Director of Culture and Recreation on the occasion of the Easter Egg Extravaganza at Pier 4 Park and Leander Boat Club on 1998 April 5 from 11:00 o'clock a.m. to 4:00 o'clock p.m.; and,

(e) That the approvals given in Sub-Sections (a), (b), (c) and (d) be subject to the Standard Terms and Conditions of the Special Events Guidelines.

3. For the information of City Council, the Parks and Recreation Committee have made the following appointments to the Arts Advisory Commission:

Peter Rogers (Library Board)
Shelagh Snider (New Faces)
Tricia Naber (Dundas Valley School of Art)
Brenda Faloney (Theatre Aquarius)
Catherine Pead (Ontario Workers Arts and Heritage Centre)
Richard Birney-Smith (Te Deum Orchestra and Singers)
Wesley W. Bates (Carnegie Gallery); and,

(a) The Hamilton and Region Arts Council will be represented in its own category as is customary by Patti Beckett, Executive Director; and,

(b) Notwithstanding current Council policy regarding staggered terms of service on sub-committees, representatives of arts organizations will serve one-year terms; and,

(c) Art organizations will be invited annually to propose their representatives.

4. That the 1998 membership and green fee schedule for Hamilton Civic Golf Courses attached hereto as Appendix "A", be approved.

5. (a) That the Commissioner of Public Works and Traffic be authorized to participate in a joint tree management plan with Ontario Hydro for the purposes of maintaining Hydro transmission line clearance specifications at Hamilton Beach corridor; and,

(b) That the City develop a vegetation management plan for this area within the Ontario Hydro guidelines; and,

(c) That staff be authorized to initiate a public awareness program on the merits of establishing and maintaining a healthy ecological landscape on Hamilton Beach and involving the Hamilton Beach Preservation Committee and affected landowners; and,

(d) That tree trimming at Hamilton Beach corridor be charged to CH62208 General Forestry Operations; and,

(e) That the Mayor and City Clerk be authorized to execute the necessary documentation in a form satisfactory to the City Solicitor.

Respectfully Submitted,

Kevin C. Christenson
Secretary
1998 March 2nd

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Hamilton Civic Golf Courses 1998 Rates & Fees - 2 -

City-Wide Membership	1996	1997	1998
Adult	$950	$1,050	$1,150
Adult - non-resident	$1,050	$1,150	$1,250
Couples	$1,800	$2,000	$2,200
Couples-non- resident	$1,900	$2,100	$2,300
Family	$2,275	$2,300	$2,450
Family - non-resident	$2,375	$2,400	$2,550
Junior	$475	$350	$350
Junior - non-resident	$575	$450	$450
Intermediate	$570	$630	$690
Intermediate - non-resident	$670	$730	$790
Pensioner	$665	$735	$805
Pensioner - non-resident	$765	$835	$905
Weekday Only (5 Days)	$665	$735	$805
Weekday Only - non-resident	$765	$835	$905

GREEN FEES

Chedoke - Beddoe	1996	1997	1998
18 Holes	$26.00	$28.00	$30
Pensioner/Jr.	$19.00	$21.00	$23
Twilight	$17.00	$19.00	$21
Chedoke - Martin			
18 Holes	$22.00	$24.00	$26
Pensioner/Jr.	$15.00	$17.00	$19
Twilight	$13.00	$15.00	$17
King's Forest			
18 Holes	$28.00	$30.00	$32
Pensioner/Jr.	$21.00	$23.00	$25
Twilight	$19.00	$21.00	$23

Appendix "A" as referred to in Section 4 of the Fourth Report of the Parks and Recreation Committee for 1998

REPLACED

Hamilton Civic Golf Courses 1998 Rates & Fees

Chedoke-Martin (only)	1996	1997	1998
Adult	$645	$645	$645
Adult - non-resident	$745	$745	$745
Couples	$1,190	$1,190	$1,190
Couples-non- resident	$1,290	$1,290	$1,290
Family	$1,340	$1,340	$1,340
Family - non-resident	$1,440	$1,440	$1,440
Junior	$150	$150	$150
Junior - non-resident	$250	$250	$250
Intermediate	$400	$400	$400
Intermediate - non-resident	$500	$500	$500
Pensioner	$430	$430	$430
Pensioner - non-resident	$530	$530	$530
Weekday Only (5 Days)	$430	$430	$430
Weekday Only - non-resident	$530	$530	$530

King's Forest (only)	1996	1997	1998
Adult	$850	$950	$1,050
Adult - non-resident	$950	$1,050	$1,150
Couples	$1,600	$1,800	$2,000
Couples-non- resident	$1,700	$1,900	$2,100
Family	$2,025	$2,000	$2,100
Family - non-resident	$2,125	$2,100	$2,200
Junior	$425	$250	$250
Junior - non-resident	$525	$350	$350
Intermediate	$510	$570	$630
Intermediate - non-resident	$610	$670	$730
Pensioner	$595	$665	$735
Pensioner - non-resident	$695	$765	$835
Weekday Only (5 Days)	$595	$665	$735
Weekday Only - non-resident	$695	$765	$835

Chedoke - Beddoe (only)	1996	1997	1998
Adult	$750	$850	$900
Adult - non-resident	$850	$950	$1,000
Couples	$1,400	$1,600	$1,700
Couples-non- resident	$1,500	$1,700	$1,800
Family	$1,775	$1,800	$1,900
Family - non-resident	$1,875	$1,900	$2,000
Junior	$375	$250	$250
Junior - non-resident	$475	$350	$350
Intermediate	$450	$510	$540
Intermediate - non-resident	$550	$610	$640
Pensioner	$525	$595	$630
Pensioner - non-resident	$625	$695	$730
Weekday Only (5 Days)	$525	$595	$630
Weekday Only - non-resident	$625	$695	$730

Chedoke - Martin/Beddoe	1996	1997	1998
Adult	$780	$900	$1,050
Adult - non-resident	$880	$1,000	$1,150
Couples	$1,460	$1,700	$2,000
Couples-non- resident	$1,560	$1,800	$2,100
Family	$1,850	$2,000	$2,150
Family - non-resident	$1,950	$2,100	$2,250
Junior	$390	$250	$250
Junior - non-resident	$490	$350	$350
Intermediate	$468	$540	$630
Intermediate - non-resident	$568	$640	$730
Pensioner	$546	$630	$735
Pensioner - non-resident	$646	$730	$835
Weekday Only (5 Days)	546	$630	$735
Weekday Only - non-resident	646	$730	$835

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Zoning Application ZAC-98-01, Dr. C. Mielke, prospective owner, for a further modification in zoning to the established "HH" (Restricted Community Shopping and Commercial, etc.) District regulations for lands located at 867 Upper Paradise Road, as shown on the attached map marked as Appendix "A", on the following basis:

(i) That By-law No. 94-041 be repealed in its entirety; and,

(ii) That Subsection 2(a) of Zoning By-law No. 88-145 be deleted in its entirety; and,

(iii) That Subsection 2(b)(i) of Zoning By-law No. 88-145 be deleted in its entirety; and,

(iv) That Subsection 2(c)(i) of Zoning By-law No. 88-145 be deleted in its entirety; and,

(v) That Subsection 2(c)(ii)(a) of Zoning By-law No. 88-145 be deleted in its entirety and replaced with the following:

a planting strip not less than 6.0 m in width shall be provided and maintained; and,

(vi) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be further modified to include the following variances, as special requirements:

(1) That notwithstanding Section 14A(1) of Zoning By-law No. 6593, only a business or professional person's office having a total gross floor area of not more than 230 sq.m (2,475 sq.ft.) shall be permitted; and,

(2) That notwithstanding Section 14A(2) of Zoning By-law No. 6593, no building shall exceed 1 storey, and no structure shall exceed 8.0 metres in height; and,

(3) That notwithstanding Section 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 12 parking spaces shall be provided and maintained; and,

(vii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1074b, and that the subject lands on Zoning District Map W-27C be notated S-1074b; and,

(viii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27C for presentation to City Council; and,

(ix) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. (a) That approval be given to Official Plan Amendment No. 146, by Little Three Ontario Ltd., owner to redesignate the lands known municipally as 75 Rymal Road East from "Residential" to "Commercial", shown as Block "2" on the attached map marked as Appendix "B"; and,

(b) That approval be given to amended Zoning Application ZAC-97-38, Little Three Ontario Ltd., owner for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District (Block "2") and for a modification to the established "HH" (Restricted Community Shopping and Commercial, etc.) District (Block "1") to permit development for automobile sales and leasing, for lands known municipally as Nos. 55, 69 (Block 1) and 75 Rymal Road East (Block 2) , as shown on the attached map marked as Appendix "B", on the following basis:

(i) That Block "2" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District; and,

(ii) That Section 2 of Zoning By-law No. 86-273, applicable to Nos. 55 and 59 Rymal Road East, be repealed in its entirety; and,

(iii) That Sections 2 and 3 of Zoning By-law No. 90-306 applicable to No. 69 Rymal Road East, be repealed in their entirety; and,

(iv) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations as contained in Section 14A. of Zoning By-law No. 6593, applicable to Blocks "1" and "2" be modified to include the following variances, as special requirements:

(1) that notwithstanding Section 14A.(1), only two (2) automobile sales and leasing establishments, excluding automotive body and fender repairing and automobile painting shall be permitted; and,

(2) that notwithstanding Section 14A.(3)(a), two (2) business identification signs shall be permitted provided that the aggregate area of the two business identification signs shall not be greater than 0.1 square metre per 0.3 metres of street frontage of the lot; and,

(3) that notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a planting strip having a minimum width of 3.0 m, with a visual barrier not less than 1.2 m and not more than 2.0 m in height, shall be provided and maintained along the easterly lot line where it abuts a residential district; and,

(4) that notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a planting strip having a minimum width of 3.0 m, with a visual barrier not less than 1.2 m and not more than 2.0 m in height, shall be provided and maintained along the northerly lot line where it abuts a residential district; and,

(v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1398, and that the subject lands on Zoning District Map E-9D be notated S-1398; and,

(vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,

(vii) That the proposed change and modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 146 by the Regional Municipality of Hamilton Wentworth; and,

(viii) That, upon finalization of the implementing zoning by-law, the Ryckmans Neighbourhood Plan be amended to redesignate Block "2" from "Single & Double Residential" to "Commercial".

3. (a) That Amended Application 97-28, Mohawk College of Applied Arts and Technology, owner, for an Official Plan Amendment, to establish a "Special Policy Area", to permit a private recreational facility within the "Major Institutional" designation, for "Block 1" only, for lands located at No. 135 Fennell Avenue West, as shown on the attached Appendix "C", be denied; and,

(b) That Amended Zoning Application 97-28, Mohawk College of Applied Arts and Technology, owner, for a modification to the established "B" (Suburban Agriculture and Residential, etc.) District regulations, for Blocks "1" and "2", for lands located at No. 135 Fennell Avenue West, to permit development of Block "1" for a student residence containing a maximum of 250 units or a student residence containing a maximum of 180 units and a private tennis club, as shown on the attached map marked as Appendix "C", be denied, on the following basis:

(i) The proposed student residence would be more appropriately located in the downtown; and,

(ii) The proposed student residence would not be compatible with adjacent residential uses.

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Copps, Charters, Jackson, D'Amico, O'Sullivan. -6.

NAYS: Aldermen Kiss, Caplan, Horwath, Morelli, Haining, Eisenberger, Collins, Anderson, Kelly. -9. **LOST.**

Refer to Section 16 for new resolution.

4. (a) That the City of Hamilton endorse the concept of a family urban entertainment centre located in downtown Hamilton; and, **AMENDED.**

(b) That staff be directed to prepare an amendment to the Downtown Hamilton Community Improvement Plan for presentation at a public meeting of the Planning and Development Committee on March 25, 1998 to incorporate the goal of a family urban entertainment centre in downtown Hamilton; and,

AMENDED.

(c) That staff of the Planning and Development Department be directed to co-ordinate a staff Committee consisting of representatives from the Real Estate and Purchasing Divisions, Law and Culture and Recreation Departments to advertise, receive, and evaluate proposals for development of a family urban entertainment centre in downtown Hamilton for adoption by City Council.

AMENDED.

5. (a) That the City of Hamilton implement the following procedures, as requested by the Regional Municipality of Hamilton-Wentworth, regarding Procedures for the Identification/Remediation of potentially Contaminated Sites under the Planning Act review process:

(i) To modify standard planning application forms (i.e. Official Plan Amendment, Zoning By-law, Site Plan Control, Subdivisions, Part Lot Control, Minor Variances and Consents) with respect to the questions regarding site contamination contained therein; and,

(ii) To amend planning application forms to include owner responsibility and acknowledgement clauses in accordance with Appendix "D"; and,

(iii) To require applicant(s) to submit a Record of Site Condition (RSC) to the Region in the form set out in the "Guideline for Use at Contaminated Sites in Ontario" (Ministry of Environment and Energy, February 1997), as amended from time to time, as a standard condition of approval when a site is identified as potentially contaminated through circulation of the planning application to the Region; and,

(b) That the City Clerk be requested to notify the Regional Municipality of Hamilton-Wentworth of the City of Hamilton's decision.

6. That the Manager of Accounting and Purchasing be authorized and directed to issue an Open Order to Brantford Landscaping & Sodding Ltd., on behalf of the Treasury and Building Departments, based on prices received for Quotation C20-998, to provide final lot grading and sodding as and when required during 1998 in various subdivisions in Hamilton, being the lowest of seven quotations received in accordance with

specifications issued by the Manager of Accounting and Purchasing and Vendor's quotation, and be financed through Lot Grading Deficiencies Subdivision Account No. PR53700090.

7. (a) That Schedule "A" and "B" of By-law No. 86-99, as amended, appointing the Ottawa Street B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "A"

Alderman D. Wilson
Alderman G. Copps
Alderman D. Haining
Alderman B. Morelli

SCHEDULE "B"

J. Gut	268 Ottawa St. N, Textile Discount Centre, Owner/Tenant
T. Bifano	95 Ottawa St. N, Anton Video, Owner/Tenant
D. Kwiatkowski	201 Ottawa St. N, Beach Road Meats, Owner/Tenant
J. Bazinet	151 Ottawa St. N, L. G. Wallace Funeral Home, Owner/Representative
B. Hodge	110 Ottawa St. N, Hamilton Vacuum Supply, Owner/Tenant
M. Fresco	137 Ottawa St. N, Campbell Glass and Mirror, Owner/Tenant
R. Bagliolid	85 Ottawa St. N, Bell Arte, Owner/Tenant
L. Mattina	289 Ottawa St. N, Nova Sewing Centre, Owner/Tenant
K. Walton	134 Ottawa St. N, KJ's Restaurant, Tenant
K. Shearer	139 Ottawa St. N, Mary's Flower Shop, Owner/Tenant

(b) That the City Solicitor be authorized and directed to amend By-law No. 86-99 pursuant to (a) above.

8. (a) That the 1998 operating budget of the Ottawa Street B.I.A., attached hereto as Appendix "E" be approved in the amount of $51,875.56; and,

(b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1998 budget as referenced in (a) above; and,

(c) That the following Schedule of Payments for 1997 be approved:

March 15	$17,291.86
June 15	$17,291.85
September 15	$17,291.85

NOTE: 1997 Levy arrears will be deducted from the payments for 1998.

9. That the City of Hamilton's Public Works and Traffic Department, in conjunction with the Keep Hamilton Clean Committee, hold the Tenth Annual Public Service Announcement Competition through Mohawk College Media Studies Program and ONtv at a total cost of $2,500.

10. That the Building Commissioner be authorized to issue a demolition permit for 9 Hillyard, in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

11. That the Building Commissioner be authorized to issue a demolition permit for 11 Hillyard, in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

12. That the Building Commissioner be authorized to issue a demolition permit for 13 Hillyard, in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

13. (a) That approval be given to the request of 800064 Ontario Inc., Anthony Di Silvestro, owner, to remove part-lot control to establish maintenance easements for Lots 14 - 31, inclusive, Registered Plan 62M-825 "Claudette Gardens - Phase 9", as shown on Appendix "F"; and,

(b) That the exempting By-law be restricted to a one year effective time period to expire on March 15, 1999; and,

(c) That the Director of Planning and Development be authorized to prepare a By-law, to the satisfaction of the City Solicitor, to remove part lot control from Lots 14 -31, inclusive, Registered Plan 62M-825 "Claudette Gardens - Phase 9" of subdivision be presentation to City Council; and,

(d) That following enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the By-law.

14. (a) That approval be given to Zoning Application ZAR-98-04, Chedoke Hospital Corporation, owner, requesting removal of the 'H' – Holding provision under Section 36(1) of the Planning Act, R.S.O., 1990, to permit development of the subject lands for a maximum of forty (40) townhouse units, for property located at No. 60 Rice Avenue, shown on the attached map marked as Appendix "G"; and,

(b) That the attached By-law marked as Appendix "H", prepared by the Director of Planning in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 as amended by By-law No. 96-113, and Zoning District Map W-37, be forwarded to Council for adoption.

15. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-40 A By-law to Remove Land Within the "Claudette Gardens - Phase 9" Subdivision Plan 62M-825 from Part Lot Control.

(b) C-41 A By-law to Repeal Zoning By-law No. 98-064 Respecting Lands Located at the Rear of Municipal Nos. 1451-1471 Upper James Street and South East of DiCenzo Drive.

(c) C-42 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the Rear of Municipal Nos. 1451-1471 Upper James Street and South East of DiCenzo Drive.

(d) C-43 A By-law to Amend By-law No. 92-078 as Amended by By-law No. 98-045 Respecting Members of the Board of Management of the Main Street West Esplanade Business Improvement Area.

(e) C-44 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1126 Garth Street.

(f) C-45 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 96-113 Respecting Land Located at the South-West Corner of Chedmac Drive and Rice Avenue (Municipally Known as No. 60 Rice Avenue). **ADDED.**

16. (a) That Amended Application 97-28, Mohawk College of Applied Arts and Technology, owner, for an Official Plan Amendment, to establish a "Special Policy Area", to permit a private recreational facility within the "Major Institutional" designation, for "Block 1" only, for lands located at No. 135 Fennell Avenue West, as shown on the attached Appendix "C", be approved; and,

(b) That Amended Zoning Application 97-28, Mohawk College of Applied Arts and Technology, owner, for a modification to the established "B" (Suburban Agriculture and Residential, etc.) District regulations, for Blocks "1" and "2", for lands located at No. 135 Fennell Avenue West, to permit development of Block "1" for a student residence containing a maximum of 250 units or a student residence containing a maximum of 180 units and a private tennis club, as shown on the attached map marked as Appendix "C", be approved

(c) That all the terms and conditions identified in the Staff Report dated 1998 March 4, apply to this zoning application as approved. **REPLACES SECTION 3 WHICH WAS LOST ON A RECORDED VOTE.**

Recorded vote to approve Section 16.

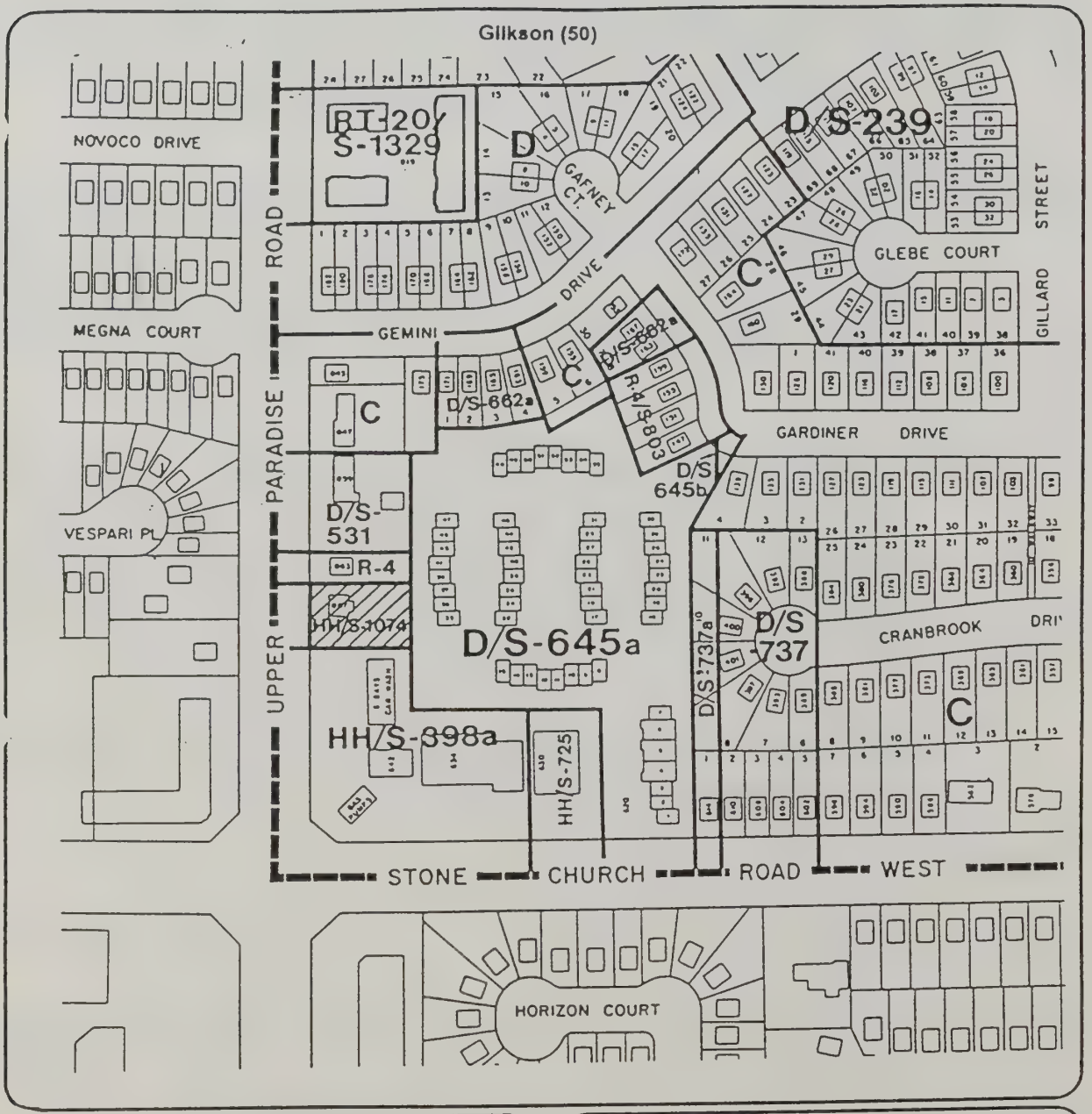
YEAS: Aldermen Kiss, Caplan, Horwath, Morelli, Wilson, Eisenberger, Collins, Anderson, Kelly. -9.

NAYS: Acting Mayor Corsini, Aldermen Haining, Copps, Charters, Jackson, D'Amico, O'Sullivan. -7. **CARRIED.**

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN PLANNING AND DEVELOPMENT COMMITTEE

Stella Glover, Secretary
1998 March 4



Legend

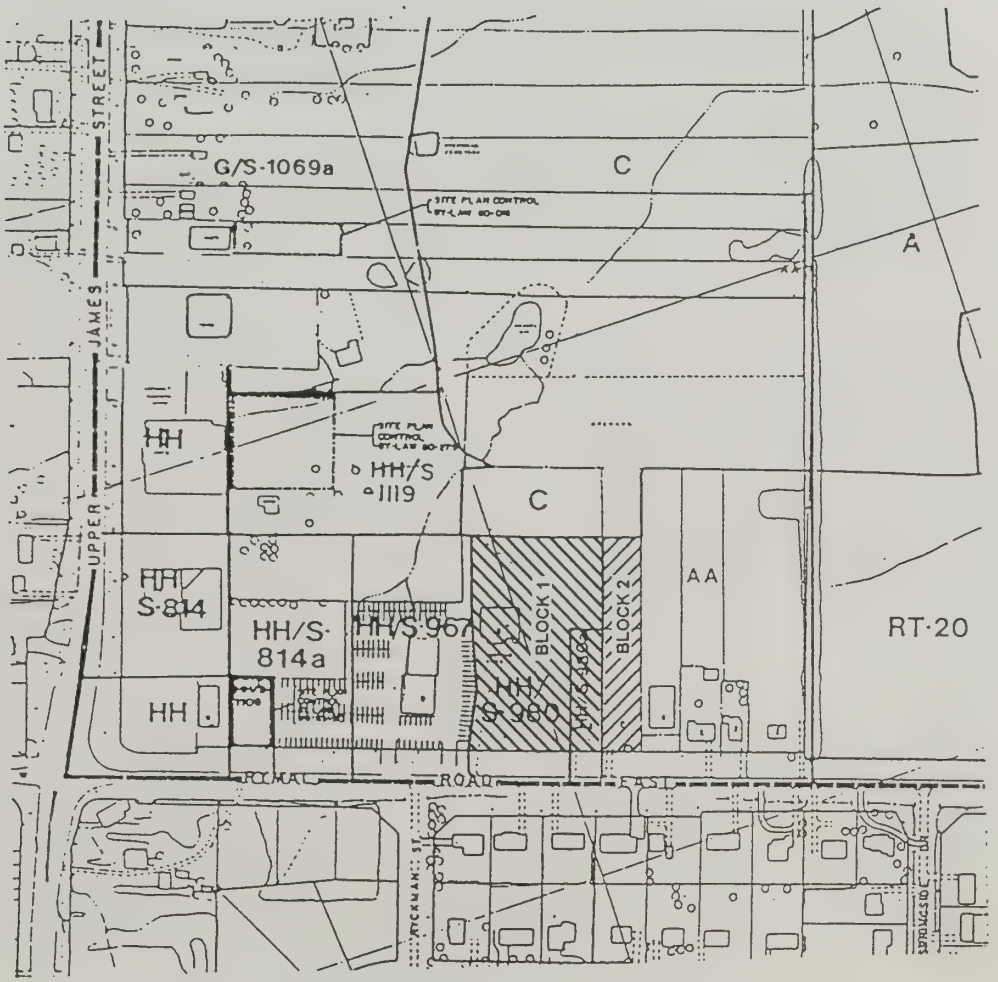
Site of the Application

City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAR-98-01
	Date	Drawn By
	JANUARY, 1998	B. B.



Legend

BLOCK 1 — Further modification to the established "HH" (Restricted Community Shopping and Commercial, etc.) District

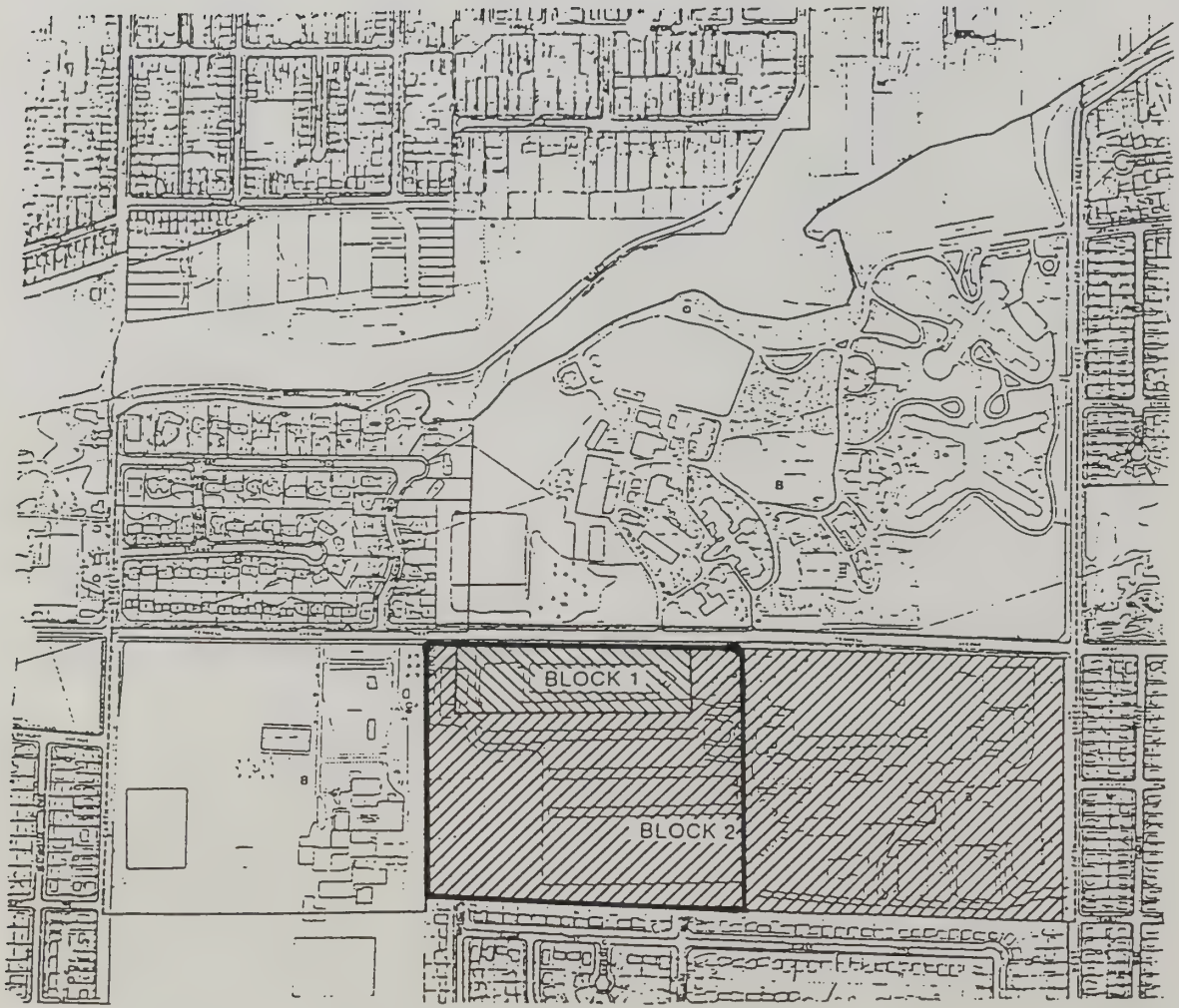
BLOCK 2 — Change in zoning from "AA"" (Agriculture, etc.) District to "HH " (Restricted Community Shopping and Commercial, etc.) District

City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-97-38
	Date	Drawn By
	MARCH, 1998	Fab Angelici.



Legend

BLOCK 1
BLOCK 2

Proposed modification to the established "B" (Suburban Agriculture and Residential, etc.) District.

Lands To Be Placed Under Site Plan Control

7AC-97-28

OWNER RESPONSIBILITY AND ACKNOWLEDGMENT CLAUSES

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable law, laws, regulations and guidelines pertaining to contaminated sites, including, but not limited to the Ministry of Environment and Energy Guidelines for Use at Contaminated Sites (February 1997), as amended.

I further acknowledge that neither the Region of Hamilton-Wentworth nor the Corporation of the City of Hamilton is responsible for the identification and/or remediation of contaminated sites. I also agree, whether in or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, that I will not sue nor make any claim whatsoever against The Regional Municipality of Hamilton-Wentworth, The Corporation of the City of Hamilton, their respective officers, officials, employees, or agents, or any of the foregoing, for or in respect of any loss, damage, injury or costs.

_____ _____

Date Signature of Property Owner

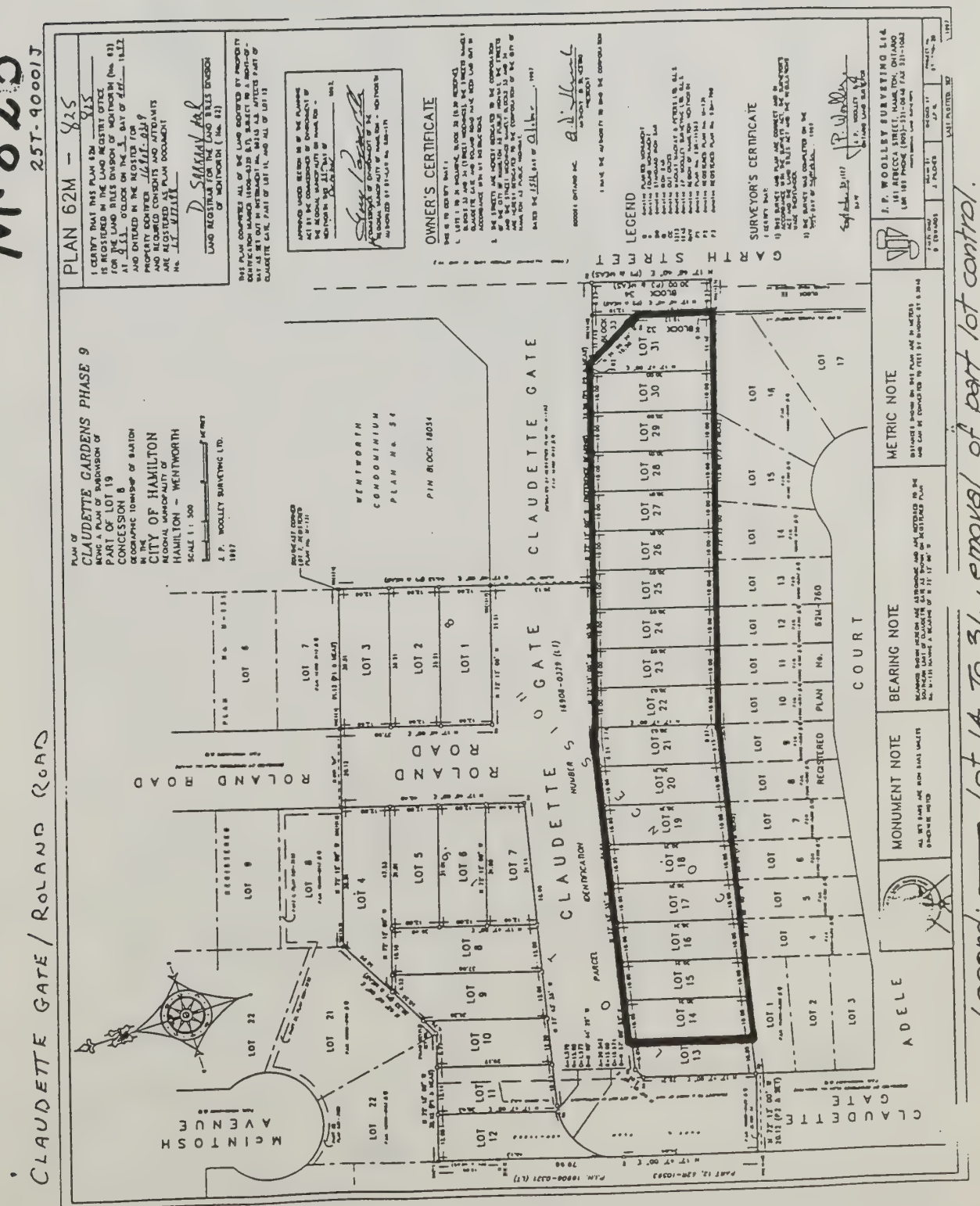
_____

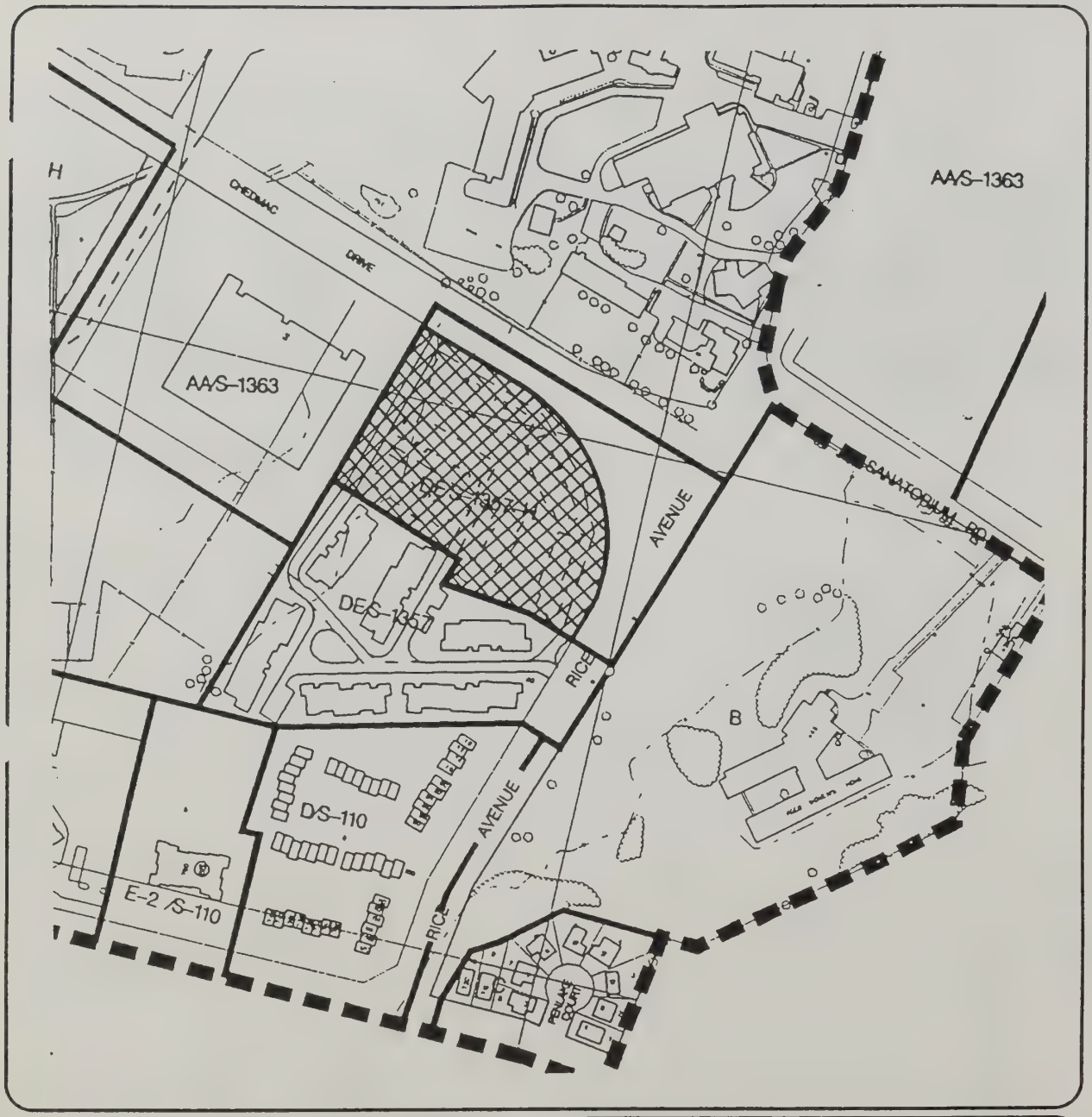
Print Name of Owner

OTTAWA STREET BIA

1998 BUDGET

MARKETING AND ADVERTISING -STREETFEST -CHRISTMAS -PARKING PROGRAM		$25,000.00
OFFICE EXPENSES		
-TELEPHONE	$1,000.00	
-PRINTING	$2,500.00	
-RENT	$1,200.00	
-BOOKKEEPING AND MISC.	$2,300.00	
MAINTENANCE		
-PLANTERS/FLOWERS		
-CHRISTMAS DECORATIONS	$5,000.00	
-BANNERS (INSTALLATION, REMOVAL, CLEANING)		$5,000.00
OUTSTANDING LEVIES 1997 PREVIOUS YEAR		$14,875.56
TOTAL	$51,875.56	


M-825
25T-9000IJ
CLAUDETTE GATE / ROLAND ROAD
PLAN 62M - 825
PLAN OF CLAUDETTE GARDENS PHASE 9
BEING A PLAN OF SUBDIVISION OF PART OF LOT 19
CONCESSION B
GEOGRAPHIC TOWNSHIP OF BARTON
IN THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
SCALE 1 : 500
J.P. WOOLLEY SURVEYING LTD.
1997
OWNER'S CERTIFICATE
SURVEYOR'S CERTIFICATE
LEGEND
METRIC NOTE
BEARING NOTE
MONUMENT NOTE
CLAUDETTE GATE
ROLAND ROAD
MCINTOSH AVENUE
ADELE COURT
LOT 14 TO 31, removal of part lot control.
Legend:



Legend

Site of the Application

City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAR-98-04
	Date	Drawn By
	FEBRUARY, 1998	B. B

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 98-

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 96-113

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF CHEDMAC DRIVE AND RICE AVENUE (MUNICIPALLY KNOWN AS NO. 60 RICE AVENUE)

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-113 on the 25th day of June, 1996 to rezone Block 2 from "AA" (Agricultural) District to "DE-" - 'H'(Low Density Multiple Dwellings - Holding) District, and to establish special requirements with respect to Block 2, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 3 of By-law No. 96-113 provides that upon the applicant completing a noise study, and any required works, to the satisfaction of the Ministry of Environment and Energy for Block 2 of the subject lands, the 'H' symbol shall be removed by amendment to By-law No. 96-113;

AND WHEREAS approval of the noise study, and any required works to the satisfaction of the Ministry of the Environment have been completed;

AND WHEREAS City Council in adopting Item of the th Report of the Planning and Development Committee at its meeting held on the 10th day of March, 1998 directed that By-law No. 96-113 be amended to remove the 'H' (Holding) symbol in respect of the subject lands;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 96-113, passed on the 25th day of June, 1996, to Block 2, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 96-113 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "DE" (Low Density Multiple Dwellings) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 4. of By-law No. 96-113.

2. Sheet No. W-37 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 2. of By-law No. 96-113, is further amended by changing Block 2 from "DE" - 'H'(Low Density Multiple Dwellings - Holding) District to "DE" (Low Density Multiple Dwellings) District, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 4. of By-law No. 96-113.

4. By-law No. 6593, as amended by By-law No. 96-113, is further amended by adding this by-law to section 19B as Schedule S-1357a.

5. Sheet No. W-37 of the District Maps, as amended by By-law No. 96-113, is further amended by marking the land referred to in section 2. of this by-law, S-1357a.

6. In all other respects, By-law No. 96-113 is hereby confirmed, unchanged.

PASSED this day of A.D. 1998.

CITY CLERK MAYOR

(1998) R.P.D.C. , March 10
Chedoke Hospital Corporation (John C. Pelech), agent
ZAR-98-04

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTH** Report for 1998 and respectfully recommends:

1. (a) That the City Clerk be directed to institute a process for the City's appointee to the Hamilton Harbour Commission to routinely receive reports, information and agendas concerning matters related to Hamilton Harbour issues.

(b) That the City's representative to the Hamilton Harbour Commission be requested to provide the City with the Commission's Proposed Perimeter Road Plan for review by the City's Finance and Administration Committee at its 1998 March 24th meeting. **ADDED.**

2. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

3 Margate Ave.
18 Lincoln St.
1042 Barton St. E.
97 Paradise Rd. N.

(b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

3. That as referenced in Section 11 of the Third Report for 1998 of the Parks and Recreation Committee, which was approved by City Council at its meeting held 1998 February 24th, that the combined contribution totalling $12,000 ($6,000 each) to assist in defraying the costs of the 1998 Ontario Gymnastics Championships April 20 to 24 and the Canadian Gymnastics Championships May 25-30, both to be held at the Chedoke Twin Pad Arena, be financed from the Hosting of Conferences with Municipal Subject Content Account CH 55307 80040.

4. (a) That the amount of $558,820 be allocated to various Departments as a transitional cost as determined by the Treasurer in accordance with established procedures for such funding; and,

(b) That $35,000 of the Current Budget Surplus be transferred to the Reserve for Hosting of Special Dignitaries; and,

(c) That the balance of the Current Budget Surplus (estimated at $18,300) be transferred to the Reserve for Tax Stabilization.

5. (a) That the costs identified in Appendix "A", attached herewith, relating to the decontamination cleaning of Fire Department apparatus in the amount of $148,702.60, resulting from the Plastimet Fire of 1997 July 9, be financed from the Reserve for Major Repairs to Mobile Equipment CH00103; and,

(b) That the remaining costs as identified in Appendix "A", amounting to $235,616.16, be financed from the City's 1997 Current Budget Surplus; and,

(c) That any subsequent recoveries of such costs as identified in (a) and (b) above, be credited back to the respective reserves; and,

(d) That the cost to purchase and erect an aluminium portable fence to protect the property at 363 Wellington Street North at an amount not to exceed $16,000, be financed from the Reserve for Contingency CH001115.

6. That the Mayor formally write to the Province of Ontario requesting reimbursement to offset the costs incurred by the City of Hamilton to deal with the fire at the Plastimet site at 363 Wellington Street North.

7. (a) That the Committee of the Whole consider the 1998 General Grant requests which include written presentations only, at a meeting (subject to confirmation) 1998 April 16, 10:00 a.m., with an understanding that any Grant approvals will be conditional on the approval of the 1998 Grants Budget, and;

(b) That all 1998 General Grant applicants be advised of this process; and,

(c) That the 1998 Convention/Reception Grant process continue in a similar fashion to that used in prior years, namely that this remain as a staff administrative process requiring an appropriate application to be completed, adhering to the funding formula of $4 per participant to a maximum level of $1,500, and payment of any grant funds be upon receipt of a summary report after the event and consistent with the Convention/Reception Grant Policy.

8. (a) That in 1998, Summer Student Rates which are not part of a collective agreement and Co-op Student Rates be based on 55% - 60% - 65% of the 1993 February 1, interim rate for the equivalent, matched full time position (first step); and,

(b) That in 1998 new and returning Co-op and Summer Students be placed in the appropriate steps in accordance with the provisions of the City of Hamilton Summer and Co-op Student Rates Schedule, attached herewith and marked Appendix "B"; and,

(c) That in 1999 the Summer and Co-op Student Grid of 55% - 60% - 65% of the first step of the matched rate be deleted and a Grid of 60% - 65% -70% of the first step of the matched rate be instituted; and,

(d) That a three step range be re-instituted for Playlot Leader, Camp Counsellor, Tennis Instructor, Special Needs Counsellor and Youth Leader positions from $6.85 to $7.22-$7.70-$8.18 per hour; and,

(e) That the part-time rate for the Cashier/Receptionist position be amended from $7.10 to $7.25 per hour; and,

(f) That the Senior Camp Counsellor position be retitled to Camp Kidaca Supervisor and that the rate be amended from $9.943 to $11.397-$11.844-$12.325 per hour.

9. That after reviewing the evidence and submission of the complainant, Dexter J. McMillan, Solicitor, for the owner of the property, 88 Stone Church Road East, the Council of the City of Hamilton hereby refunds the 5% Land Dedication payment.

10. That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton has no objection to the issuance of a Temporary Extension of Premises Licence to the Slainte Irish Pub, 33 Bowen Street on Tuesday, 1998 March 17th from 11:00 o'clock a.m. to 2:00 o'clock a.m. for a 1,000 square foot tent adjacent to their premises as part of their St. Patrick's Day Celebrations, subject to the following conditions:

    (a) That the City's Noise By-law be adhered to; and,

    (b) That the extension area to be licensed is barricaded in accordance with the A.G.C.O. regulations; and,

    (c) That the security arrangements for this event are made to the satisfaction of the Hamilton-Wentworth Regional Police.

11. That the proceeds from the sale of the Redhill Valley property to the Region, required for the Freeway Project, be credited to a new interest bearing reserve, "Reserve for the Redhill Creek Valley Development", established to address the needs of the Valley consistent with the principles of the Redhill Creek Recreation and Open Space Masterplan.

12. (a) That the Hamilton Parking Authority Board be eliminated as of 1998 March 31, and that City Council, through the Transport and Environment Committee, assume the responsibility for all Parking Authority administration and operations (both on and off-street); and,

    (b) That By-law No. 8131 which establishes The Parking Authority of the City of Hamilton, be rescinded; and,

    (c) That the responsibility for administering all municipal parking operations be under the jurisdiction of the Commissioner of Public Works and Traffic by merging the Parking Authority with the Community Traffic Services Division as outlined on the organizational chart, attached herewith and marked Appendix "C"; and,

(d) That the Chief Administrative Officer be directed to pursue:

(i) The elimination of the Hamilton Parking Authority's General Manager position by negotiating a severance with the incumbent; and,

(ii) The reclassification of the Manager of Community Traffic and Parking Services; and,

(e) That the Commissioner of Public Works and Traffic be directed to report back within one year with the results of a review of additional cost savings, efficiencies and improved customer service as a result of the merger.

Recorded vote.

YEAS: Acting Mayor Corsini, Aldermen Caplan, Horwath, Morelli, Haining, Wilson, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Eisenberger, Anderson. -4. **CARRIED.**

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-17 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

(b) D-18 A By-law to Authorize an Amendment to The Renovation and Retrofit of the Huntington Park Recreation Centre.

(c) D-19 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 March 3

Corporation of the City of Hamilton

PLASTIMET FIRE COSTS

As At December 31, 1997

DEPARTMENT	Cleaning - Fire Apparatus	Salaries/ Overtime	Excavators / Misc. Equipment	Hoarding	Misc.	Total
Fire Department	$148,702.60	$23,659.00	$46,719.06		$64,613.53	$283,694.19
Public Works and Traffic - Traffic Division		$1,054.90			$123.78	$1,178.68
Public Works and Traffic - Streets Division		$10,924.88	$57,088.25	$10,382.40	$6,772.99	$85,168.52
Building Department					$92.70	$92.70
City Clerk / Mayor's Department					$6,162.92	$6,162.92
Law Department					$127.98	$127.98
C & R - Property Maintenance Division					$2,333.32	$2,333.32
Chief Administrative Officer					$1,130.00	$1,130.00
Culture and Recreation					$4,073.50	$4,073.50
Miscellaneous Other Departments					$356.95	$356.95
TOTAL	$148,702.60	$35,638.78	$103,807.31	$10,382.40	$85,787.67	$384,318.76

Plastimet Costs Incurred / To Be Incurred In 1998:

Public Works - Aluminum Portable Fencing (upset limit)	$16,000.00
Fire Department - Tarp / Radio Replacement	$5,500.00
Long-Term Medical Surveillance Programme (1998 portion) - financed from 1998 Fire Department current budget	$210,000.00

23-Feb-98

Appendix "A" referred to in Section 5 of the SEVENTH Report of the Finance and Administration Committee for 1998

Appendix "B" referred to in Section 8 of the SEVENTH Report of the Finance and Administration Committee for 1998

City of Hamilton
Summer and Co-op Student Rates

Effective January 1, 1998 summer student and co-op student rates will be matched to the February 1, 1993 (interim rate) CUPE 167 job rates. Jobs associated with CUPE Local 5 will be paid in accordance with that collective agreement.

Co-op Students

New Co-op Students: All new co-op students will be hired at 55% of the equivalent, matched full time position. The actual rates will be based on the February 1, 1993 interim rates (first step).

Returning Co-op Students: All returning co-op students will be rehired at the next percentage step above the percentage step paid in 1997. The actual rates will be based on the February 1, 1993 interim rates (first step).

Back-to-Back Co-op Terms: Co-op students who, on January 1, 1998 are commencing their second placement in back-to-back work terms, will move to the next percentage step above the percentage step paid in 1997 using the February 1, 1993 interim rates. Co-op students who complete two or more co-op terms in one calendar year are paid at the same percentage step for each term.

Summer Students

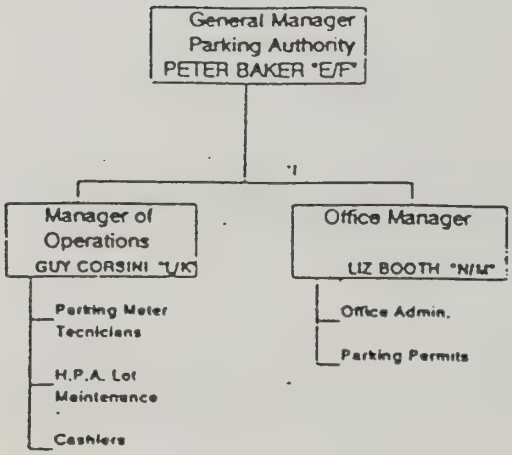
New Summer Students: All new summer students will be hired at 55% of the equivalent, matched full time position. The actual rates will be based on the February 1, 1993 interim rates (first step).

Returning Summer Students: All returning summer students will be rehired at the next percentage step above the percentage step paid in 1997. The actual rates will be based on the February 1, 1993 interim rates (first step).

Effective January 1, 1999 the percentage steps will change from 55%-60%-65% to 60%-65%-70%.

Appendix "C" referred to in Section 12 of the **SEVENTH** Report of the Finance and Administration Committee for 1998

EXISTING



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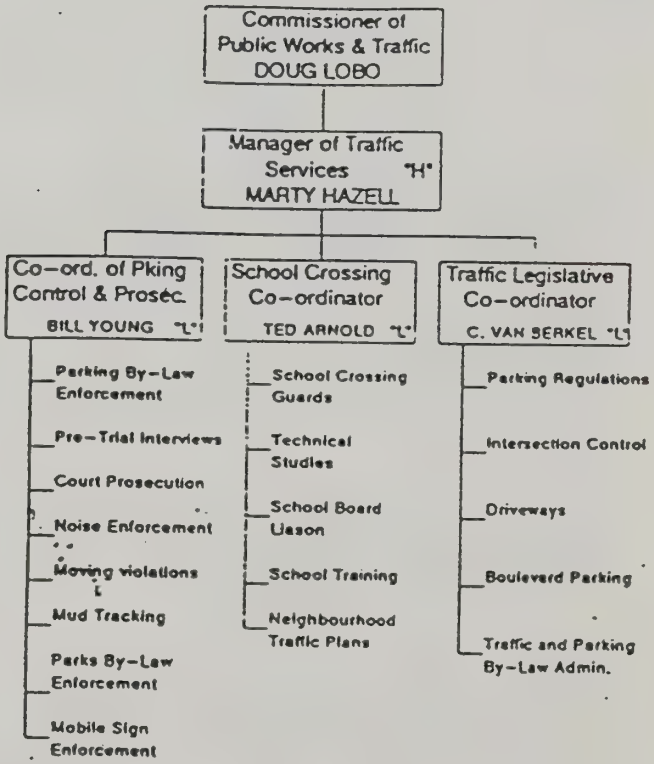
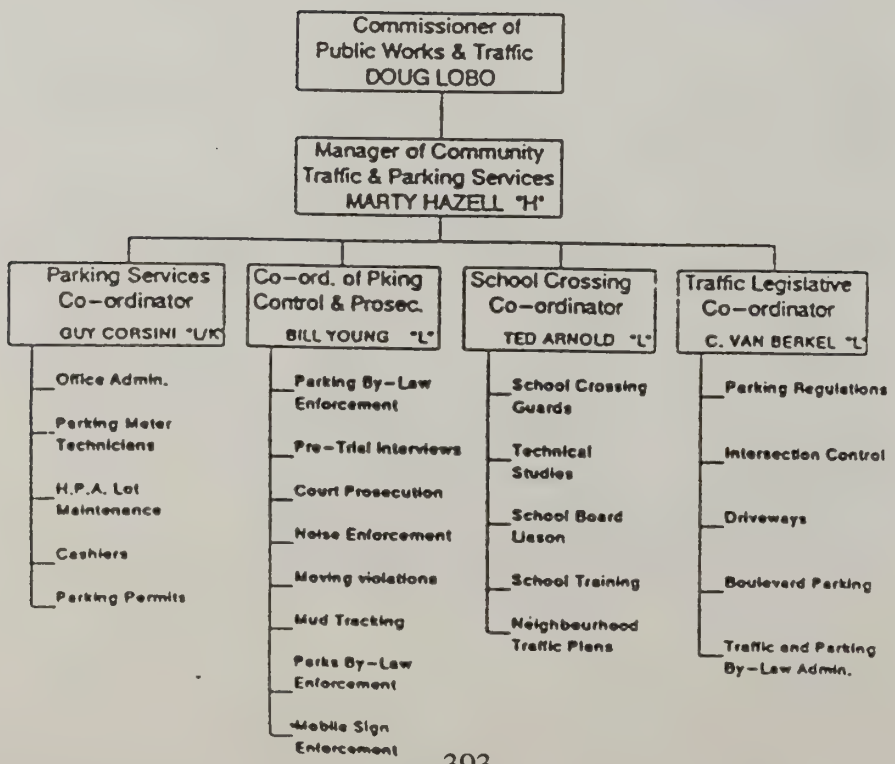


PROPOSED



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1998 and respectfully recommends:

1. That Ann Beausejour be appointed as The Hamilton-Wentworth Catholic District School Board representative on the Hamilton Public Library Board for a term to expire 2000 November 30.

2. (a) That City Council authorize the expenditure of $290,000 to provide for additional temporary storage of the combustible contents removed from the building located at 231 Gage Avenue North and the subsequent disposal of the stored materials in accordance with City Council purchasing policies; and,

   (b) That City Council authorize the plan for disposal of the materials as outlined in the proposed draft of the motion in the Appendix, attached herewith and marked Appendix "A"; and,

   (c) That the cost to provide for additional temporary storage of the combustible contents removed from the building located at 231 Gage Avenue North at an estimated amount of $290,000 be financed from the Reserve for Contingency, Account Centre No. CH 00115; and,

   (d) That the Reserve for Contingency be reimbursed on receipt of recovery of the cost from the landowner.

3. That the Commissioner of Human Resources be authorized and directed to implement a severance policy for non-union employees that incorporates the provisions outlined in the Appendix, attached herewith and marked Appendix "B".

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 March 10

THE MOTION IS FOR:

1. An Order in furtherance of the order of the Honourable Justice Crane dated February 19, 1998, for approval of the manner of disposal of materials under Rule 45.01(2), which materials were removed from the premises known municipally as 231 Gage Avenue North, Hamilton (the premises) and being held by the Applicant, and specifically with the following terms:

(a) where sufficient proof is supplied to the City on prior claims to the goods, to turn them over to the claimants, on terms requiring the claimants or respondents to either assume the costs of storage or remove them from the storage provided by the City commencing immediately and in any event to be removed completely within seven days of notice of this Order by facsimile transmission or 12 days for notice by mail, or April 15, 1998 whichever is earlier, and which conditions if not met allow the City to proceed to sell or dispose of the remainder;

(b) authorizing sale by public tender, with terms and conditions that include allowing potential bidders the opportunity to remove samples or conduct tests on the goods, and requiring successful bidders to arrange for the continued costs or storage of the goods or for bidders to complete timely removal from storage provided by the City, and which conditions if not met by the date selected by the City allows the City to sell or dispose of the remainder;

(c) the remainder held by the City after the above processes, be disposed of by the City, which may at the City's discretion include a public tender process

or the seeking of bids for costs of disposal;

(d) the proceeds of the above disposal be paid to the City, firstly to be applied against the costs of the sale or disposal incurred by the City, and then against the costs of removal and storage of the goods already incurred, and further be accounted for in the recovery of costs claimed under the Fire Protection and Prevention Act, and if there is any positive balance of procceds after such costs are finally determined such balance be refunded by the City to 1215546 Ontario Limited; and

(e) alternatively to (b), where 1215546 Ontario Limited consents to any item or quantity of the goods being of little or no commercial value, that the City be authorized to proceed with disposal of same without first attempting to sell the goods by public tender.

2. Costs of this motion on a solicitor and client basis.

3. Such further and other relief or directions as this Honourable Court deems just and proper.

1998 March 10

SUBJECT: Non-union Severance Policy (C-004-98)

Appendix "B" referred to in Section 3 of the **EIGHTH** Report of the Finance and Administration Committee for 1998

Severance Provisions for Non-Union Employees

1. Payment in lieu of notice of termination in an amount of three weeks per year of service to a maximum of 18 months with payments based on a continuation, in some form, of the employee's salary; or a negotiated lump sum payment;

2. Provision of all benefits excluding short-term and long term disability coverage beyond the legally required notice period, but including access to the EAP provider for what would otherwise be the notice period or until the employee secures alternative employment, whichever comes first;

3. Reimbursement, upon presentation of appropriate receipts, for outplacement counselling or tuition to a maximum amount negotiated with the employee;

4. Reimbursement, upon submission of receipts, for legal fees incurred to assess the severance offer, to a maximum of $500.; and,

5. Early retirement under the following criteria:

   - minimum 75 factor (age and service)
   - the redundant position or position(s) of equal value in a restructuring will be deleted from complement
   - bridging will be offered in a form replicating a Type 7 pension, but not exceeding a maximum of the equivalent to severance plus 25%
   - a bonus payment may be offered if the cost of the bridging plus the employee benefits is less than the cost of severance
   - benefits will be continued under the retiree plan to age 65
   - payments may be made to O.M.E.R.S. until the employee reaches age 55 at which time the employee will transfer to an O.M.E.R.S. pension

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1998 and respectfully recommends:

1. That Michael MacNeil be suspended of his Tow Truck Driver Licence for a 1 month period.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

ALDERMAN F. EISENBERGER
CHAIRPERSON
LICENSING COMMITTEE

Debbie-Ann Rashford, Secretary
1998 March 4

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Committee of the Whole\Hamilton City Council
Friday, 1998 February 27
9:30 o'clock a.m.
Council Chamber, City Hall

URBAN MUNICIPAL
MAR 31 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor R. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole and His Worship Mayor Robert M. Morrow, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - FIFTH REPORT

Scott MacDonald Limited

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - FIRST REPORT

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of His Worship Mayor R. M. Morrow, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 11:45 o'clock a.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 February 27
/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIFTH** Report for 1998 and respectfully recommends:

1. (a) That Section 3 of the First Report of the Finance and Administration Committee, approved by City Council at its meeting held Thursday, 1997 December 11th be reconfirmed as follows:

"(a) That the City resolve all outstanding issues of City of Hamilton -ats- Scott MacDonald Limited in Ontario Court (General Division) Action No. 408/97 by accepting the Plaintiff's Offer of Settlement and approving the Minutes of Settlement signed by counsel for both parties dated 1997 November 25th; and,

(b) That a Task Force be struck comprised of Mayor R. Morrow, Alderman C. Collins, Alderman D. O'Sullivan, Alderman R. Corsini, Alderman A. Horwath and Alderman D. Wilson to meet with Sandy MacDonald to arrive at a mutaully agreeable solution to bring forward for Council's consideration by 1998 February 28th."

(b) That inasmuch as a mutually agreeable solution was not reached, that the above-noted Task Force work with staff to compile the Proposal call for the use of the Marina property.

2. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-003 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 February 27

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1998 and respectfully recommends:

1. That City Council endorse the amended Policy Guidelines and Associated Procedures for the Mayor's Committee Against Racism and Discrimination, attached hereto as Appendix "A", which provides for the following significant changes:

   (a) The merger of the Committee and its Advisory Council to form one Committee; and,

   (b) The reduction in the size of the Committee; and,

   (c) The Committee structure will include the Mayor as the Honourary Chairperson, two Aldermanic members, one of whom will be appointed by the Mayor as a Co-Chairperson, and, the election of a citizen Co-Chairperson from the seven citizen members. The Co-Chairpersons shall alternate presiding over the meetings and activities of the Committee in the absence of the Mayor; and,

2. That the Policy Guidelines and Associated Procedures become effective immediately upon adoption by the City Council.

Respectfully submitted

ROBERT M. MORROW
MAYOR

Debbie-Ann Rashford, Secretary
1998 February 20

Appendix "A" as referred to in Section 1 of the First Report of His Worship Mayor Robert M. Morrow for 1998

POLICY GUIDELINES AND ASSOCIATED PROCEDURES FOR THE CITY OF HAMILTON'S MAYOR'S COMMITTEE AGAINST RACISM AND DISCRIMINATION

THE HAMILTON MAYOR'S COMMITTEE AGAINST RACISM AND DISCRIMINATION

A Committee of City Council Will Deal With Issues Relating to Racism and Discrimination

1. The Hamilton Mayor's Committee Against Racism and Discrimination will hereafter be called "The Committee".

2. The Committee will consist of **seven** citizen members. The Committee will also include the Mayor and two Aldermen. **[total 10]**

3. The Committee should strive to be reflective of the diversity in the community.

4. The Committee shall conduct monthly meetings excluding the months of July, August and December, at dates and times to be determined, or at the call of the Chair.

5. The Mayor will be the Honourary Chairperson (hereafter referred to as "Chairperson") of the Committee and will appoint one of the Aldermanic members to be a Co-Chairperson. The Committee members will elect a Co-Chairperson from the citizen members. The Co-Chairpersons shall alternate presiding over meetings and activities of the Committee in the absence of the Mayor.

6. The Committee will recommend seminars and programmes for the development of its members.

7. The Committee Secretary, a Legislative Assistant appointed by the Clerk's Office, will be responsible for attending and recording regularly scheduled meetings.

8. The Committee will be responsible for financial, media, mediation, membership, and public awareness issues, to be dealt with at the regularly scheduled meetings.

9. The Committee may strike any Ad Hoc Committee for a special project, event or issue as (if) the need arises.

10. Non-voting resource persons from the following list shall be invited to attend the meetings of the Committee:

- City and Region - Human Resources Department
- The Corporation of the City of Hamilton - Union Representative
- Hamilton-Wentworth Regional Police
- Hamilton-Wentworth District School Board
- Hamilton-Wentworth Catholic District School Board
- Hamilton & District Labour Council
- Council of Churches
- Ontario Anti-Racism Secretariat

Other resource persons as may be required will be invited to attend as well.

TERMS OF REFERENCE

The Mayor's Committee Against Racism and Discrimination recognizes that the inherent dignity and the equal inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world and is in accord with the Universal Declaration of Human Rights as proclaimed by the United Nations.

And, since it is public policy in Ontario to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination that is contrary to law, and having as its aim the creation of a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community. These principles have been confirmed in Ontario by a number of enactments of the Legislature and it is desirable to revise and extend the protection of human rights.

Therefore, it shall be the duty of the Mayor's Committee Against Racism and Discrimination to:

1. Advise and consult with the Mayor and to report to City Council, on relevant issues relating to anti-racism and anti-discrimination in the community of Hamilton and area.

2. To outreach to Native Communities in an effort to learn, understand, respect and convey the special status of Native peoples (Aboriginal of this Country), as well as their rights, whether it be Aboriginal or Treaty.

3. To work actively with the Hamilton-Wentworth Regional Police Services, the Hamilton-Wentworth District and Catholic District School Boards, and other relevant organizations and institutions to foster a spirit of mutual understanding of issues pertaining to racism and discrimination.

4. Encourage every person, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability, to engage in programmes for the improvement of community relations and the fulfilment of Human Rights.

5. Initiate and facilitate discussions between individuals and/or groups to lessen tensions and promote understanding in the community.

6. Receive, review, facilitate and offer assistance to complainants as required on matters of tension, prejudice, racism and practices of discrimination.

7. Make recommendations to the Municipality on issues relating to Employment Equity as well as issues promoting Anti-Racism and Anti-Discrimination.

SELECTION OF MEMBERS TO COMMITTEE

1. Application for membership to the Committee will be invited by advertisement in the local media and letters sent to minority and community organizations in the Hamilton area requesting their interested members to apply for membership on the Committee.

2. Criteria for selection of members for the Committee will be primarily the applicant's involvement in and commitment to combatting racism and discrimination within the community. The Committee complement should be representative of the various groups within the community.

3. The Selection Committee will consist of the Committee Chairperson, past citizen Co-Chairperson, and two Aldermen. A quorum of three members is required for the Selection Committee.

4. The Mayor will call the first meeting of the Committee in January. At this first meeting, members will select the citizen Co-Chairperson by secret ballot.

5. The names of those selected will be presented to City Council at the next scheduled meeting.

6. Members are expected to attend all meetings on a regular basis. Members who are absent from **two** consecutive meetings without due cause, will be advised in writing that they shall cease to be a member.

CONDUCT OF BUSINESS IN THE COMMITTEE

1. The Chairperson, or in the absence of the Chairperson a Co-Chairperson, shall preside and shall have a vote on all questions submitted. In case of an equal division the question shall be decided in the negative.

2. A quorum shall consist of 6 Committee members.

3. Excluding the months of July, August and December, the Committee shall conduct monthly meetings, at dates and times yet to be determined.

4. Special meetings may be arranged at the call of the Chairperson. Special meetings may also be requested by a minimum of six Committee members, upon the provision of one weeks notice.

5. Annually, in October the Committee shall determine its projects e.g. dinners, workshops, manuals, for the new year in order to plan the agenda and calculate budget requirements.

6. Expenditures exceeding $50.00 must be approved by the Committee.

7. Attendance at conferences, workshops, seminars etc. shall not be limited solely to the Co-Chairpersons.

8. It will be necessary for a member who has attended a conference, workshop, or seminar on behalf of the Committee, to prepare a written report on the event, and present the report at the next regularly scheduled meeting.

APPLICATION PROCESS

Citizen members will be selected on the basis of experience, awareness of anti-racism policies, membership in native groups, various Hamilton community groups or agencies serving the needs of such groups.

City Council encourages the submission of applications by individuals who may be considered for appointment to the Committee. Submission should include a biographical note including his/her qualifications and experience as well as an indication of the nominees' willingness to serve.

Applications should be forwarded to the City Clerk's Department, Membership, Mayor's Committee Against Racism and Discrimination, City Hall, 71 Main Street West, Hamilton, ON L8P 4Y5

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Committee of the Whole\Hamilton City Council
1998 March 25
1:30 o'clock p.m.
1998 March 26
9:30 o'clock a.m.
Dundurn Coach House

URBAN MUNICIPAL
APR 3 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Alderman B. Charters - Regional Business

Mayor R. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Copps, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - SIXTH REPORT

Best Practices Steering Committee
FCM Resolution - New Terms of Reference for Municipal Government

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Copps, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. - 13.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 1:30 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 March 26
/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SIXTH** Report for 1998 and respectfully recommends:

1. That Regional Council be requested to initiate and expedite an immediate study into the provision of Emergency Services as outlined in the report of the Best Practices Steering Committee, and that the results of the study be available in sufficient time for consideration by Hamilton City Council as part of its 1998 Current Budget process.

2. **WHEREAS** municipal governments are major public agents for providing services, programs and facilities to maintain and enhance the quality of life for all Canadians; and

   WHEREAS municipal governments require the powers to provide good government and services to local residents now and in the future;

   BE IT RESOLVED that every municipal government will, by way of provincial/territorial legislation and eventual amendments to the Canadian constitution,

   1. be an order of government,
   2. be autonomous,
   3. act on every matter within its financial competence that is not expressly excluded from its responsibility,
   4. have adequate powers and financial and legal resources
      (a) to ensure good government and services locally,
      (b) to meet existing and future community needs,
      (c) to apply creative, innovative and entrepreneurial solutions,
      (d) which cannot be altered unilaterally by other orders of government,
   5. require other orders of government to comply with the municipal government's validly exercised authority,
   6. have access to alternative dispute mediation resolution mechanisms to resolve harmoniously disputes with other orders of government through out of court facilities,
   7. be accessible, democratic and accountable,

8. have discretion to refuse to take on what were previously responsibilities of other orders of government, or to agree to take on such responsibilities only in return for new financial or other resources in relation to these responsibilities.

3. That the City Treasurer be authorized to speak on matters respecting Current Value Assessment.

4. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-004 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 March 25-26

CA4 ON HBL A05
M21
1998

Minutes of Hamilton City Council
Tuesday, 1998 March 31
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor Morrow called the meeting to order.

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The National Anthem was played.

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Reverend James Ross Dickey, B.A., B.D., St. Paul's Presbyterian Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Recognition to Jennifer Davino, John Howard, Chair, Barton B.I.A., Frank Gombar, Robert Dynes.

John Hughes, Director of Ministry of Transportation of Ontario, Safety Policy Branch, presented to Mayor R. Morrow an Award Plaque on behalf of the Hamilton Safety Council. In attendance was Bob Brown, Chair, Hamilton Safety Council; Wes Shoemaker, Fire Chief and Robert Middaugh, Police Chief.

ADOPTION OF MINUTES

Section 3 Re: Current Value Assessment

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the SIXTH Report of the Committee of the Whole for 1998 be amended by adding the following as Section 3:

3. That the City Treasurer be authorized to speak on matters respecting Current Value Assessment. **CARRIED.**

The minutes of the meetings held 1998 March 10 and March 25-26, 1998 were adopted as amended.

CORRESPONDENCE

1. Letter dated 1998 March 18 from R. S. Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners respecting Audited Financial Statements for the years ending December 31, 1980, 1981, 1983, 1984, 1985, 1987, 1990, 1994 and 1995.

   Referred to the Finance and Administration Committee.

2. Letter dated 1998 March 16 from R. S. Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners respecting material requested by the City's Auditor's KPMG.

   Referred to the Finance and Administration Committee.

3. Application dated 1998 March 10 from Harm Schilthuis and Sons Limited, Ancaster, Ontario for removal of the "H" Holding Provision for lands located at 100 Locke Street South, Hamilton, Ontario.

   Received.

4. Application dated 1998 March 11 from Jason D. Rosset, 16-1375 Southdown Road, Mississauga, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE" (Low Density Multiple Dwellings) District Modified for Block "1" front portion and from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District modified for the rear portion for 1516 Main Street West, Hamilton, Ontario.

Received.

5. Application dated 1998 March 17 from Ukrainian Catholic Episcopal Corp of Eastern Canada, c/o 260 Melvin Avenue, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family, Dwellings, etc.) District for 260 Melvin Avenue, Hamilton, Ontario.

Received.

6. Application dated 1998 March 18 from Horvat Properties, 3600 Hurontario Street, Mississauga, Ontario for a change in zoning from "A" (Conservation, Open Space, Park, and Recreation) District to "C" (Urban Protected Residential, etc.) District for lands located east of Greenhill Avenue and west of Webster Road and north of the existing railway line in the Nash Orchard Heights South Subdivision.

Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Hamilton-Scourge Steering Committee, and the Committee of the Whole, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - SIXTH REPORT

Section 7 Re: Zoning Application - 1215443 Ontario Inc. - 243 Fennell Avenue East

It was moved by Alderman Anderson and seconded by Alderman Kelly that Section 7 of the SIXTH Report of the Planning and Development Committee be referred back to the next meeting of the Planning and Development Committee. **CARRIED.**

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Section 20 Re: Variances to By-law No. 97-147 for property at 195 Ferguson Ave. North

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Rule No. 9 Re: Bill C-52: A By-law to Adopt the Barton Village Community Improvement Plan.

It was moved by Alderman D'Amico and seconded by Alderman Copps that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill to adopt the Barton Village Community Improvement Plan. **CARRIED.**

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Section 23 Re: Bill C-52: A By-law to Adopt the Barton Village Community Improvement Plan.

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 23 of the SIXTH Report of the Planning and Development Committee be amended by adding sub-section (g) as follows:

C-52 A By-law to Adopt the Barton Village Community Improvement Plan.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - NINTH REPORT

Section 1 Re: Multilateral Agreement on Investments

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: Alderman D'Amico. -1. **CARRIED.**

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Section 5 Re: Expiration date of appointments to the Hamilton Status of Women Sub-Committee.

It was moved by Alderman Kiss and seconded by Alderman Copps that Section 5 of the NINTH Report of the Finance and Administration Committee by amended by deleting the date "1999 March 31" in the third line and inserting in lieu thereof the date "2000 November 30".

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Kiss, Corsini, Copps, Eisenberger, Jackson, D'Amico. -7.

NAYS: Aldermen Caplan, Horwath, Morelli, Haining, Wilson, Collins, Charters, Anderson, Kelly, O'Sullivan. -10. **LOST.**

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Section 12 Re: Deletion of Nine Positions from Public Works and Traffic Department.

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Kiss, Copps, D'Amico. -3. **CARRIED.**

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Section 13 (b) Re: Bill D-21: A By-law to Repeal By-law No. 8131 respecting: The Hamilton Parking Authority

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Eisenberger, Anderson. -2. **CARRIED.**

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Section 13 (c) Re: Bill D-22: A By-law respecting: Smoking in Public Places and the Workplace

It was moved by Alderman Collins and seconded by Alderman Charters that Section 13 (c) of the NINTH Report of the Finance and Administration Committee be tabled.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Caplan. -1. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - SECOND REPORT

COMMITTEE OF THE WHOLE - SEVENTH REPORT

Section 1 Re: Municipal Restructuring

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Morelli, Haining, Wilson, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Eisenberger. -3. **CARRIED.**

HAMILTON-SCOURGE STEERING COMMITTE - FIRST REPORT

ACTING MAYOR FOR THE MONTH OF APRIL, 1998

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman B. Morelli be appointed Acting Mayor for the month of April, 1998. **CARRIED.**

NOTICE OF MOTION FOR NEXT MEETING

Alderman Jackson gave notice that he would move at the next meeting the following:

WHEREAS; over 179,000 persons have died in traffic collisions in Canada since 1950; and

WHEREAS; it is estimated that 85% of motor vehicle collisions are caused by driver error; and

WHEREAS; speeding and other moving violations, particularly intersection related violations have been identified as factors in many of these preventable collisions; and

WHEREAS; the reduction of speeding and intersection related moving violations could contribute significantly to the reduction of motor vehicle collisions and the severity of collisions in Ontario; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar have been successfully used in many jurisdictions; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar in Ontario could reduce the number of needless deaths and injuries occurring as a result of collisions on our roadways and reduce the associated costs to society;

THEREFORE BE IT RESOLVED, that Hamilton City Council supports the use of electronic enforcement tools and urges the Provincial Government of Ontario to facilitate the acquisition and use of these tools by police in Ontario in an effort to increase traffic safety, specifically requesting that Hamilton be considered as a pilot project for the use of this equipment by the Hamilton-Wentworth Police Services.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Hamilton-Scourge Steering Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Morelli, Haining, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:15 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
City Clerk
1998 March 31
JJS/dg

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1998 and respectfully recommends:

1. (a) That the Barton Village Community Improvement Plan for the expanded area of the Barton Village Community Improvement Project Area, attached as Appendix "A" be adopted, in order to implement the Commercial Property Improvement Loan Program and the Barton Street Revitalization Program; and,

   (b) That the Barton Village Community Improvement Plan for the expanded area of the Barton Village Community Improvement Project Area be submitted to the Ministry of Municipal Affairs and Housing for the appropriate approval; and,

   (c) That the City Solicitor be authorized and directed to prepare the requisite By-law for (a) above.

2. (a) That the Main Street West Community Improvement Plan for the expanded area of the Main Street West Community Improvement Project Area, attached as Appendix "B", be adopted, in order to implement the Commercial Property Improvement Loan Program; and,

   (b) That the Main Street West Community Improvement Plan for the expanded area of the Main Street West Community Improvement Project Area be submitted to the Ministry of Municipal Affairs and Housing for the appropriate approval; and,

   (c) That the City Solicitor be authorized and directed to prepare the requisite By-law for (a) above.

3. (a) That the Downtown Hamilton Business Improvement Area's Community Improvement Plan for the expanded area of the Downtown Hamilton Business Improvement Area's Community Improvement Project Area, attached as Appendix "C", be adopted, in order to implement the Commercial Property Improvement Loan Program; and,

(b) That the Downtown Hamilton Business Improvement Area's Community Improvement Plan for the expanded area of the Downtown Hamilton Business Improvement Area's Community Improvement Project Area, be submitted to the Ministry of Municipal Affairs and Housing for the appropriate approval; and,

(c) That the City Solicitor be authorized and directed to prepare the requisite By-law for (a) above.

4. That the Downtown Hamilton Community Improvement Plan be amended, on the following basis:

(a) Section 4.e): Add the words "family entertainment" after the word "cultural" in the second line so that the entire clause now reads: "to promote the continued development of the Downtown as the primary business, office, cultural, family entertainment, and administrative centre for the City and Region."

(b) That the following be added as Section 5.1:

5.1 REGENERATION STRATEGIES

a) municipal land acquisition for the purposes of redevelopment of lands within the Community Improvement Project Area;

b) disposition, including sale, lease, or otherwise, of municipal land within the Community Improvement Project Area for the purpose of achieving the goals and objectives of this Plan;

c) soliciting interest and participation from private or public/private development corporations for redevelopment opportunities for municipal and non-municipal land or land disposition including sale, lease, or otherwise, which may include the following methods: requests for proposals, expressions of interest, requests for qualifications;

d) the criteria to guide decisions with regard to redevelopment within the Community Improvement Project Area in order to achieve the goals and objectives of this plan shall include, but not be limited to, the following:

i) improvement of downtown Hamilton as the primary business, office, cultural, entertainment, and administrative centre for the City and the Region;

ii) improvement of the streetscape, provision of a street presence, and street level pedestrian focus for redevelopment;

iii) contribution to the economic growth of downtown Hamilton;

iv) rehabilitation of existing buildings, where appropriate;

v) municipal financial risk and exposure to loss are minimized;

vi) securing of appropriate businesses to be located in Downtown Hamilton to contribute to the economic viability of the area;

e) the City may provide relief from fees, levies, and charges associated with redevelopment;

f) other strategies consistent with the goals and objectives of this Plan.

5. (a) That approval be given to Official Plan Amendment No. 148 to redesignate the rear portion of the lands located at the front of No. 1317 Upper James Street from "Residential" to "Commercial" and to redesignate the entire subject lands from "Special Policy Area 31a" to "Special Policy Area 31", as shown on the attached Appendix "D", and that the Director of Planning and Development be directed to prepare the By-law of Adoption in accordance with Section 22 of the Planning Act, for submission to the Regional Municipality of Hamilton-Wentworth; and,

(b) That approval be given to Zoning Application 97-39, Hampshire Properties Limited, owner, for a change in zoning from "CR-1" (Commercial - Residential) District to "HH" (Restricted Community Shopping and Commercial) District, modified, to permit commercial development for lands located at the front of No. 1317 Upper James Street, as shown on the attached map marked as Appendix "E", on the following basis:

(i) That the subject lands be rezoned from "CR-1" (Commercial - Residential) District, modified, to "HH" (Restricted Community Shopping and Commercial) District, modified; and,

(ii) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances, as special requirements:

(1) Notwithstanding Section 14A(3)(a), a front yard depth of at least 24 m shall be provided and maintained; and,

(2) A landscaped planting strip having a minimum width of 6.0 m shall be provided and maintained along the entire easterly lot line of the "HH" District, where it abuts a residential district; and,

(3) That a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire easterly lot line of the "HH" District, where it abuts a residential district; and,

(4) That a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the entire westerly lot line, except for any area used for driveway access; and,

(iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1401, and that the subject lands on Zoning District Map E-9C be notated S-1401; and,

(iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council; and,

(v) That the proposed modification in zoning will be in conformity with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. 148 by the Regional Municipality of Hamilton-Wentworth; and,

(c) That upon finalization of the implementing By-law, the Jerome Neighbourhood Plan be amended by redesignating the subject lands from "Commercial and Apartments" to "Commercial".

6. (a) That approval be given to Zoning Application ZAC-98-07, Ontario Pride Construction Ltd. owner, for a change in zoning from "D" (Urban Protected Residential - One and Two Family, etc.) District to "DE" - 'H' (Low Density Multiple Apartments - Holding) District (Block 1) and for a modification in zoning to the established "D" (Urban Protected Residential - One and Two Family, etc.) District (Block 2) for lands located at 30 - 36 Margaret Street, as shown on the attached map marked as Appendix "F", on the following basis:

(i) That Block "1" be rezoned from "D" (Urban Protected Residential - One and Two Family, etc.) District to "DE" - 'H' (Low Density Multiple Apartments - Holding) District; and,

(ii) That the amending By-law applicable to Block "1" apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the owner submits a signed Record of Site Condition (RCS) to the Region of Hamilton-Wentworth and the Ministry of Environment, to the satisfaction of the Region of Hamilton-Wentworth, including an acknowledgement of receipt of the RSC by the MOE.

City Council may remove the 'H' symbol, and thereby give effect to the "DE" District, provisions as stipulated in the By-law by enactment of an amending By-law once the condition is fulfilled; and,

(iii) That the "DE" (Low Density Multiple Apartments) District regulations as contained in Section 10A of Zoning By-law No. 6593, applicable to the lands shown as Block "1", be modified to include the following variances, as special requirements:

(1) That the building existing at the time of the passing of this By-law, known municipally as 36 Margaret Street, shall provide and maintain the following setbacks:

(a) 0.70 metres from the easterly lot line; and,
(b) 0.40 metres from the southerly lot line; and,
(c) 3.50 metres from the northerly lot line; and,
(d) 0.00 metres from the westerly lot line; and,

(2) That notwithstanding Section 10A.(1) of Zoning By-law No. 6593, only the following use shall be permitted:

a) a multiple dwelling containing a maximum of 11 Class A dwelling units within the building existing at the time of the passing of the By-law; and,

(3) That Section 10A.(5) of Zoning By-law No. 6593 shall not apply; and,

(4) That notwithstanding Section 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 11 parking spaces shall be provided and maintained; and,

(5) That notwithstanding Section 18A.(11) of Zoning By-law No. 6593, the boundary of every parking and manoeuvring area shall provide and maintain the following setbacks:

(a) not less than 0.50 metres from the easterly limits of Block "1"; and,
(b) not less than 0.50 metres from the northerly limits of Block "1"; and,
(c) not less than 0.0 metres from the westerly limits of Block "1"; and,

(6) That notwithstanding Section 18A.(24)(b) of Zoning By-law No. 6593, a mutual access driveway having a width of not less than 3.5 metres shall be provided and maintained; and,

(7) That Section 18A.(1)(c) of Zoning By-law No. 6593 shall not apply; and,

(8) That Section 18A.(26) of Zoning By-law No. 6593 shall not apply; and,

(iv) That the "D" (Urban Protected Residential - One and Two Family, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands shown as Block "2", be modified to include the following variances, as special requirements:

(1) That the semi-detached dwellings existing at the time of the passing of this By-law, known municipally as 30 and 32 Margaret Street, shall provide and maintain the following setbacks:

(a) 2.70 metres from the easterly lot line; and,
(b) 1.15 metres from the southerly lot line; and,
(c) 1.45 metres from the northerly lot line; and,
(d) 7.50 metres from the westerly lot line; and,

(2) Notwithstanding Section 10.(4)(ii) of Zoning By-law No. 6593, for a two family dwelling a lot width of at least 14.7 metres and an area of at least 300.0 square metres shall be provided and maintained; and,

(3) That Section 18A.(1)(a) of Zoning By-law No, 6593, shall not apply for the existing semi-detached dwellings existing at the time of the passing of this By-law, known municipally as 30 and 32 Margaret Street; and,

(v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1402, and that the subject lands on Zoning District Map W-12 be notated S-1402; and,

(vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-12 for presentation to City Council; and,

(vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

(viii) That, upon finalization of the implementing zoning by-law, the Strathcona Neighbourhood Plan be amended to redesignate Block 1 from "Single and Double Residential" to "Low Density Apartments".

7. That approval be given to amended Zoning Application 98-03, 1215443 Ontario Inc. (Ontario Pride Construction/Michael Bobiash), owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette -Holding) District modified, to permit the construction of 13 townhouse units and 2 semi-detached units, for the property located at No. 243 Fennell Avenue East, shown as Blocks 1 and 2 on the attached map marked as Appendix "G", on the following basis:

(a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding

symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until:

Submission of a signed Record of Site Condition (RSC) to the Region of Hamilton-Wentworth and the Ontario Ministry of the Environment (MOE). This RSC must be to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOE.

Removal of the holding restriction shall be conditional upon the signed Record of Site Condition to the satisfaction of the Region and the Ministry of Environment. City Council may remove the 'H' symbol, and thereby give effect to the "RT-20" District provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled; and,

(b) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette - Holding) District modified; and,

(c) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 1, be modified to include the following variances as special requirements:

(i) That notwithstanding Section 10E(2), only a maximum of one semi-detached dwelling and a townhouse dwelling having a maximum of three single family dwelling units shall be permitted; and,

(ii) That notwithstanding Section 10E(4)(a), for a townhouse dwelling a side yard depth of not less than 4.0 metres shall be provided and maintained for the southerly lot line; and,

(iii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than three single family dwelling units shall be attached in a continuous row; and,

(d) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 2, be modified to include the following variance as a special requirement:

(i) That notwithstanding Section 10E(2), only townhouse dwellings having a maximum of ten single family dwelling units shall be permitted; and,

(ii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row; and,

(e) That no pedestrian or vehicular access shall be permitted from East Eleventh Street; and,

(f) That the building elevation drawings as submitted with a future Site Plan application for the subject lands be consistent with the height, scale, style, character and architectural details of the proposed dwellings shown in Appendix "H"; and,

(g) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1400, and that the subject lands on Zoning District Map E-16 be notated S-1400; and,

(h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-16, for presentation to City Council; and,

(i) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area. **REFERRED BACK.**

8. That Application CD-97-003, under the Rental Housing Protection Act, Herminio Silva, Owner, for conversion of 22 rental apartment units to condominium units for the property located at 893 Concession Street, be denied for the following reason:

Removal of these units from the rental market would adversely affect the overall rental vacancy rate within the Hamilton Mountain Zone.

9. (a) That approval be given to the Intent to Designate the historic core of McMaster University at 1280 Main Street West, specifically, University Hall, Hamilton Hall, the Refectory, Wallingford Hall, Edwards Hall and the Alumni Memorial Building and the landscaped open space extending north-south from the ravine edge to Scholar's Road and east-west from Edwards Hall to Wallingford Hall, as a property of historical and architectural value, as outlined in the Reasons for Designation attached hereto and marked Appendix "I", pursuant to the provisions of the Ontario Heritage Act, 1997, Part IV; and,

(b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1997.

10. (a) That the City Solicitor be authorized and directed to prepare an amendment to By-Law 93-167, "To Authorize Permits and Fees", Section 4 by inserting between subsections (6) and (7) a new subsection as follows:

(7) In addition to the applicable requirements of subsection (2) above, every sewage system permit application shall contain the following information:

(a) the name, address, telephone number, and licence number of the person installing the sewage system,

(b) where the person named in (a) above requires a licence under the Act and the Building Code,

i) the number and date of issuance of the licence, and

ii) the name of the qualified person supervising the work to be done under the sewage system permit,

(c) a site evaluation which shall include all of the following items, unless otherwise specified by the Chief Building Official,

i) the date the evaluation was done,

ii) the name, address, telephone number and signature of the person who prepared the evaluation,

iii) a scaled map of the site showing the legal description, lot size, property dimensions, existing rights-of-way, easements, or municipal/utility corridors; the location of items listed in Column 1 of Table 8.2.1.5.A., 8.2.1.5.B. and 8.2.1.5.C.; the location of the proposed sewage system; the location of any unsuitable, disturbed or compacted areas, and the proposed access routes for system maintenance,

iv) depth to bedrock,

v) depth to zones of soil saturation,

vi) soil properties, including soil permeability, and

vii) soil conditions, including the potential for flooding; and,

(b) That the City Solicitor be authorized and directed to amend Section 4 of By-Law 93-167 by renumbering each of the subsections following the new subsection (7) in sequence as necessary; and,

(c) That the City Solicitor be authorized and directed to prepare an amendment to By-Law 93-167 "To Authorize Permits and Fees" by adding the following to Schedule "A":

11. (a) Permit for the construction of on-lot sewage system pursuant to the provisions of the Building Code Act $500

(b) Permit for the repairs to an existing on-lot sewage system pursuant to the provisions of the Building Code Act $200

(c) Preparation of written comments and inspection for land severance, minor variance and rezoning applications for lots with existing septic systems $200

11. (a) That Schedule "B" of By-law No. 98-074, appointing the Barton Village B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "B"

Dimitri Boukhers	Farah's Foodmart (tenant)
Jody Hendry	Hendry's Family Shoes (nominated by owner)
Terry Franceour	Mugsy's Place (nominated by owner)
Sandra Manners	Westinghouse Canada Inc. (nominated by owner)
John Hilger	Ways to Wisdom (owner)
John Howard	Econ-o-wash Laundry (owner)
Paul Nusca	Nusca Custom Tailors Ltd. (owner)
Marco Tollis	Riviera Banquet Centre (owner)
Nick LaSala	Nick's Auto Service (owner)
Robert Palmese	Palmese Photodesign Group Inc.(owner)
Keith Cody	Orthopaedic Services (nominated by owner)
Phil Springer	464 Barton Street East (owner)

(b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law 98-074 pursuant to (a) above.

12. (a) That Schedule "B" of By-law No. 98-047 appointing the Westdale Village BIA Board of Management be repealed and the following names substituted:

SCHEDULE "B"

Lynn Secord	Canada Trust 938 King St West, (Owner/Representative)
Mary Beth Ledden	Judy Marsales Real Estate Ltd 986 King St West, (Owner)
David Simpson	Simpson, Watson, & Vujnovic Lawyer 950 King St West, (Owner)
Gene Ditner	Cottage Florist 1033 King St West, (Owner)
Shelagh Snider	The Picture Frame 1045 King St West, (Owner)
John Mouskos	New Village Restaurant 988 King St West, (Owner)
David Thorne	Truth 1044 King St West, (Tenant)
Reg Lahie	Jack Carruth Shoes 1051 King St West, (Owner)

(b) That the City Solicitor be authorized and directed to amend By-law 98-047 pursuant to (a) above.

13. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, nine hundred and fifty eight dollars ($1,958) be approved for Helen Golba, 80 Stapleton Avenue. The interest rate will be 2 per cent amortized over 5 years.

14. That the Building Commissioner be authorized to issue a demolition permit for 1062 Upper Paradise Road in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

15. That the Building Commissioner be authorized to issue a demolition permit for 701 Upper Sherman Avenue (C-Wing) in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

16. That upon fulfilment of obligations set out in Rental Housing Protection Act Agreements, Council authorizes the Mayor and City Clerk to sign discharges, to be registered on title at the sole expense of the party requesting the discharge, in a form satisfactory to the City Solicitor.

17. (a) That approval be granted to application CDM-CONV-98-001 submitted by Robert Dockeray, owner, for a draft plan of condominium for property located at No. 11-23 Courtland Avenue, as shown on the attached map marked as Appendix "J", to provide for a condominium comprised of a 15 individual townhouse condominium units, subject to the following conditions:

(i) That this approval applies to the draft plan dated March 5, 1998, attached hereto and marked as Appendix "K", prepared by A.T. McLaren Limited, O.L.S.; and,

(ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,

(iii) That prior to approval of the final plan:

(1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and

(2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593; and,

(iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-95-011); and,

(v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,

(vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required; and,

(b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,

(c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.

18. (a) That approval be given to Part Lot Control Application PLC-98-02, Harp Homes Inc. (Martin Mazza, President), owner, to remove part-lot control for the purpose of establishing maintenance easements for Lots 1 - 6, inclusive, Registered Plan 62M-829 "Eagleview Estates, Phase 1", as shown on Appendix "L"; and,

(b) That the exempting By-law be restricted to a 1 year effective time period to expire on April 1, 1999; and,

(c) That the appropriate By-law remove part lot control Lots 1 - 6, inclusive, Registered Plan 62M-829 "Eagleview Estates, Phase 1" plan of subdivision, effective until April 1, 1999 for presentation to City Council; and,

(d) That following enactment of the By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the By-law.

19. (a) That approval be given to the request by David Elliot, Solicitor for 200 Rymal Road Inc. (A. DiSilvestro), owner, for a 1 year extension for exemption from part-lot control for the purposes of establishing maintenance easements for Lots 8 and 19, Registered Plan 62M-795, "Allison Estates, Phase 1, Stage 2", as shown on Appendix "M"; and,

(b) That the appropriate By-law to extend part-lot control from Lots 8 and 19, Registered Plan 62M-795, "Allison Estates - Phase 1, Stage 2" plan of subdivision, effective until May 1, 1999, be enacted by Council.

20. That staff be directed to request the Ontario Municipal Board to include the following two variances to By-law No. 97-147 for the property located at No. 195 Ferguson Avenue North, as shown on the attached map marked as Appendix "N":

(a) That By-law No. 97-147 be amended on the following basis:

(i) delete clause 1.(a) and replace with the following new clause:

"notwithstanding Section 11(1) of Zoning By-law No. 6593, the following use shall be permitted in the existing building located at No. 195 Ferguson Avenue North:

1) drop-in centre on the first and second floor only;
2) storage room accessory to the drop-in centre in the underground parking garage.

(ii) that a new clause 1.(d) be added as follows:

"notwithstanding Section 2(d)(i) of By-law 92-197, eighty-five parking spaces shall be provided and maintained for the existing eighty-eight (88) Class "A" dwelling units."

(b) That the proposed amendment to By-law No. 97-147 is in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

21. That the Mayor send a letter to the Ontario Realty Corporation advising that Century Manor, located on the grounds of the Hamilton Psychiatric Hospital, is considered to be of major historical and architectural importance to the City of Hamilton, and request that in the event that the Hamilton Psychiatric Hospital is closed and the property sold, that every effort is taken to preserve and protect this designated building, such as the implementation of a Heritage Conservation Easement Agreement.

22. That the City of Hamilton recommend to the Minister of Canadian Heritage and the Chair of the Ontario Heritage Foundation that the heritage conservation easement agreement between the Ontario Heritage Foundation and any new owner of the CN Station property be entered into immediately after the Minister signs off the agreement of sale, or alternatively, that the CNR, as present owner, be requested to enter into a heritage conservation easement agreement with the Ontario Heritage Foundation prior to the sale, in order to ensure the ongoing permanent protection of the architecturally and historically significant CN Station.

23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-46 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 184 Lottridge Street.

(b) C-47 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 184 Lottridge Street.

(c) C-48 A By-law to Amend By-law No. 86-99 as Amended by By-laws No. 92-056 and 98-044 Respecting Members of the Board of Management of the Ottawa Street North Business Improvement Area.

(d) C-49 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 73 Kennedy Avenue.

(e) C-50 A By-law to Remove Land Within the "Eagleview Estates, Phase 1" Subdivision, Plan 62M-829 from Part Lot Control.

(f) C-51 A By-law to Extend By-law No. 97-058 Respecting Land Within the "Allison Estates, Phase 1, Stage 2" Subdivision (62M-795) Plan 62R-13933.

(g) C-52 A By-law to Adopt the Barton Village Community Improvement Plan.
ADDED.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1998 March 25

Appendix "A" referred to in Section 1(a) of the **SIXTH** Report of the Planning and Development Committee for 1998

THE BARTON VILLAGE COMMUNITY IMPROVEMENT PLAN FOR THE EXPANDED AREA OF THE BARTON VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA

1998 February

THE BARTON VILLAGE COMMUNITY IMPROVEMENT PLAN FOR THE EXPANDED AREA OF THE BARTON VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA

PREFACE:

The Barton Village Community Improvement Project Area was originally designated by By-law 88-011. The Area was subsequently expanded by By-law 98-038. The geographic areas delineated by both By-laws 88-011 and 98-038 are the subject of a Community Improvement Plan passed 1988 January 12.

By-law 98-038 has further enlarged the geographic area of the Barton Village Community Improvement Project Area.

PURPOSE:

This Community Improvement Plan is intended to apply to the expanded geographic area of the Barton Village Community Improvement Project Area as set out in By-law 98-038 and is more particularly shown on Appendix A.

Rather than being focused on large scale redevelopement, this Community Improvement Plan focuses on rehabilitation and the updating of existing facades and interiors.

This Community Improvement Plan does not replace the existing Community Improvement Plan for the geographic areas delineated by both By-laws 88-011 and 98-038.

ASSISTANCE TO THE EXPANDED AREA:

The Barton Village Community Improvement Project Area is within the Beasley, Landsdale and Gibson Neighbourhoods and is recognized as a major commercial strip. Improvements to the streetscape have been implemented by the City of Hamilton including, but not limited to, the widening of sidewalks, installation of planted medians and the installation of banners.

The visual appearance of the area could also be enhanced through the upgrading of existing building fronts and interiors. It is recognized that such improvements not only increase the attractiveness of the area, but also assist in putting forward a positive commercial image.

To encourage individual owners of buildings to renovate, loans and grants are available from the Municipality under this plan through the Barton Street Revitalization Program and the Commercial Property Improvement Loan Program in accordance with the guidelines attached as Appendix B.

APPENDIX 'A'

BARTON GENERAL COMMUNITY IMPROVEMENT PROJECT AREA

APPENDIX 'B'

THE BARTON STREET REVITALIZATION PROJECT AND THE COMMERCIAL PROPERTY IMPROVEMENT LOAN PROGRAM

LOAN GUIDELINES

1. Upon receipt of a satisfactory application which meets the criteria of the loan program set out herein, loans may be made by the City for a term not exceeding ten (10) years, at an interest rate of one-half of the City's prime borrowing rate, amortized for a maximum period of ten years (open).

   The interest rate shall be established at time of loan approval. Interest shall commence to run after the Interest Adjustment Date (I.A.D.) namely, the first of the month following full advancement of the loan. Repayment of loans shall be monthly but open to full repayment at any time without notice or penalty.

2. These loans are solely intended for the owners of lands within the said designated Community Improvement Project Area where the owners' lands are used for non-residential commercial purposes which, in the opinion of the City,

   (a) are intended for the eligible improvements and expenses contemplated in the corresponding Plan.

   (b) fulfil the objectives of the City expressed in the corresponding Plan.

   (c) meet the security/equity and other requirements of the City's loan program including the requirements specified herein.

3. While businesses which are tenants are not, according to the Planning Act, eligible for loans and grants provided for in the Plan attached, loans to eligible property owners for improvements which will also benefit business tenants are provided for in the Plan.

4. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of $15,000. in respect of the cost of eligible facade and exterior renovations to each separate location of the owner's property specially assessed or specially assessable for a levy payable to the Board of Management of the Barton Village Business Improvement Area. These loans are subject to a maximum limit of $45,000. (3 units, $15,000. each) for each deeded property of the owner.

5. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of $10,000. in respect of the cost of eligible interior improvements to each separate location of the owner or of a tenant under lease from the owner, specially assessed or specially assessable for a levy payable to the Board of Management of the Barton Village Business Improvement Area, subject to,

   (a) a loan maximum of $30,000. for each deeded property of the owner;

   (b) the tenant, if any, accepting in writing the proposed interior improvements.

6. Loans may be made to an owner of a non-residential property not exceeding the sum of $5,000. in respect of the cost of eligible exterior and facade improvements and to repair deficiencies in compliance with health, safety, or property standards. This loan is at the discretion of Council where approved, may be concurrent with or in addition to the maximum permitted loans specified in sections 4 and 5. This loan shall be unsecured and not registered on title. Section 11 (b) (ii) and 11 (b) (iii) shall not apply to this loan.

   Where this community improvement loan is the subject of a grant provided for in section 13 of these guidelines, the grant to the owner to pay down the principal of this loan shall not exceed $2,500. and shall be advanced as follows:

   (a) $1,500. as of the completion of construction as confirmed by the Building Department; and,

   (b) $1,000. (or the balance of the grant), one year following the first advance;

   (c) Section 16 (a) on advancement of section 13 grants shall not apply.

7. Loans may be for the following types of improvements and their related expenses:

   - exterior building envelope;
   - major building systems, including roof, wiring, plumbing, heating;
   - interior fixtures, including partitions;
   - interior decorating, including lighting, painting, wallpaper, etc.;
   - built-in showcases, freezers, special plumbing, etc.;
   - exterior/interior signage;
   - related professional fees (architects, engineers, appraisers, lawyers, etc.) and the application fee of the greater of 1.5% of the loan or $200.;
   - such other loan program administrative fees fixed by Council from time to time.

Loans shall be advanced only in respect of completed work which has been inspected by the City.

Loans may not be made for expenses such as chattels, (i.e. tables, chairs, cash registers) nor shall loans be made for rental/owner occupied residential accommodation.

8. The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department. Deficiencies shall qualify for a loan in advance of facade improvements (store fronts, aesthetics, signage etc.).

9. The owner will obtain two estimates for all eligible improvements after the City's inspection of the building. Where an owner personally carries out the work, only the cost of materials is eligible for a loan, upon receipt of invoices.

10. A report by the Building Department (Housing and Loans Division) on each loan will be made to the Planning and Development Committee and Council for approval. The recommendation of the Board of Management of the Barton Village B.I.A. will be received in respect of the exterior improvement portion of the loan applications.

11. (a) Each borrower shall give the City a promissory note in respect of each loan; and

(b) As security for repayment of the loan made by the City, the borrower shall:

(i) where the borrower is a limited company, provide the City with the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the corporate borrower to borrow the loan and give the loan security to the City;

(ii) consent to a City Lien being registered on title to the property being improved in which the property owner must have at least 20% equity, after covering outstanding property encumbrances, not including the amount of the City's loan;

(iii)where an owner has less than 20% equity in the property being improved,

(1) the owner may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City, at the owner's expense, the collateral mortgage in a form satisfactory to the City Solicitor; and

(2) the owner may provide the City with a guarantee from another person, provided the guarantee is secured by a mortgage on the Guarantor's property that meets the City's equity requirements and the Guarantor's lawyer prepares and certifies the guarantee and the collateral mortgage to the City, at the owner's expense, in a form satisfactory to the City Solicitor;

(iv) keep in good standing business taxes, realty taxes and B.I.A. levies.

12. Upon sale of the property improved by the loan, the loan/lien is due and payable in full to the City unless the new owner of the property meets the lending criteria and assumes the original terms and conditions of the loan.

Upon sale of a property which secures by a collateral mortgage repayment of a loan, the loan is due and payable in full to the City.

13. Repayment of loans to the City shall be monthly but open to full repayment at any time without notice or penalty.

GRANT GUIDELINES:

14. Grants may be made to recipients of loans under this Community Improvement Plan for a sum of up to 1/2 of the outstanding loan principal of such loans for the purpose of paying for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the Community Improvement Plan. Where the loan is less than $5,000., pursuant to section 6 of these guidelines, such grant may be for a sum equal to the amount of the loan principal.

15. Grants may also be made to recipients of loans under this Community Improvement Plan to cover the cost of Building Permit fees, Committee of Adjustment Applications and/or property compliance reports payable to the City, where these costs are incurred in respect of rehabilitating such lands and buildings in conformity with the Community Improvement Plan.

16. Conditions of Grants:

a) The following accounts of grant recipients must be in good standing, prior to payment of any grant, unless the recipient directs the City in writing to apply the grant towards the amounts owing on any such account:

(i) the commercial loan repayments and interest thereon;

(ii) realty taxes on the property being improved;

(iii) business taxes; and,

(iv) B.I.A. levy;

b) Grants are available to recipients of loans under this Community Improvement Plan for rehabilitating their lands and buildings within the Barton Village Business Improvement Area and the said Community Improvement Project Area;

c) The maximum grants available to an owner(s) for each deeded property of the owner(s) shall not exceed $30,000.

d) Grant instalments will be advanced from the City by the direct paying down of principal in a Commercial Property Improvement Loan Program borrowers' loan acount in three (3) instalments, in the 15:15:20 ratio, as follows:

(i) 15% of the loan amount at the time of construction completion as recorded by a Building Department Inspector;

(ii) 15% of the original loan amount on the anniversary date of the first advance; and,

(iii) 20% on the anniversary date of the second advance.

Appendix "B" referred to in Section 2(a) of the **SIXTH** Report of the Planning and Development Committee for 1998

THE MAIN STREET WEST COMMUNITY IMPROVEMENT PLAN FOR THE EXPANDED AREA OF THE MAIN STREET WEST COMMUNITY IMPROVEMENT PROJECT AREA

1998 February

THE MAIN STREET WEST COMMUNITY IMPROVEMENT PLAN FOR THE EXPANDED AREA OF THE MAIN STREET WEST COMMUNITY IMPROVEMENT PROJECT AREA

PREFACE:

The Main Street West Community Improvement Project Area was originally designated by By-law 90-270. The Area was subsequently expanded by By-law 98-039.
The geographic areas delineated by both By-laws 90-270 and 98-039 are the subject of a Community Improvement Plan passed 1990 October 30.

By-law 98-039 has further enlarged the geographic area of the Main Street West Community Improvement Project Area.

PURPOSE:

This Community Improvement Plan is intended to apply to the expanded geographic area of the Main Street West Community Improvement Project Area as set out in By-law 98-039 and is more particularly shown on Appendix A.

Rather than being focused on large scale redevelopement, this Community Improvement Plan focuses on rehabilitation and the updating of existing facades and interiors.

This Community Improvement Plan does not replace the existing Community Improvement Plan for the geographic areas delineated by both By-laws 90-270 and 98-039.

ASSISTANCE FOR THE EXPANDED AREA:

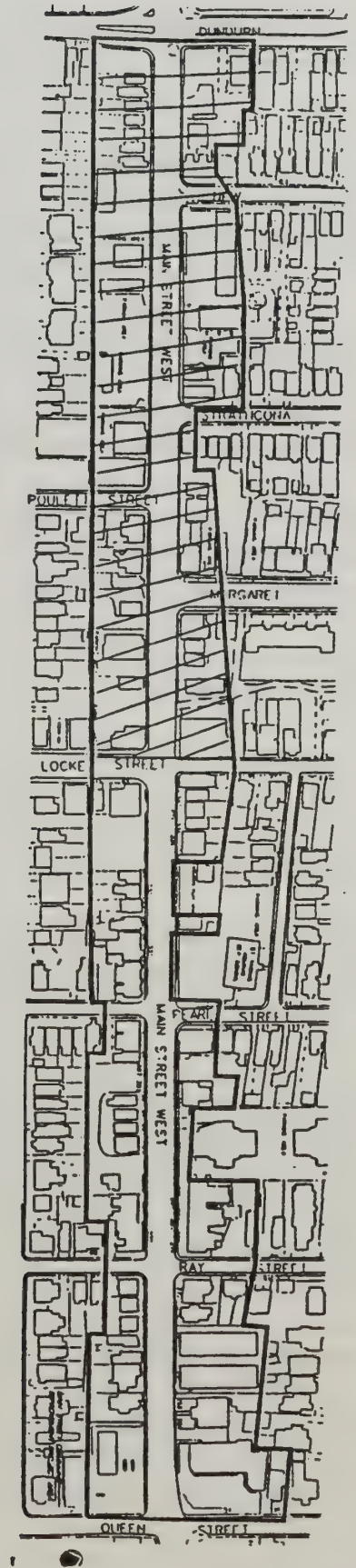
Main Street West is a major commercial strip within the Kirkendall North Neighbourhood. Improvements to the streetscape have been implemented by the City of Hamilton including, but not limited to, the reconstruction of sidewalks and roadways and the installation of banners and streetblades.

The visual appearance of the area could also be enhanced through the upgrading of existing building fronts and interiors. It is recognized that such improvements not only increase the attractiveness of the area, but also assist in putting forward a positive commercial image.

To encourage individual owners of buildings to renovate, loans are available from the Municipality under this plan through the Commercial Property Improvement Loan Program in accordance with the guidelines attached as Appendix B.

APPENDIX "A"

MAIN STREET WEST COMMUNITY IMPROVEMENT PROJECT AREA



EXPANDED BOUNDARIES

APPENDIX 'B'

COMMERCIAL PROPERTY IMPROVEMENT LOAN PROGRAM

GUIDELINES

1. Upon receipt of a satisfactory application which meets the criteria of the loan program, including the criteria set out herein, loans may be made by the City for a term not exceeding ten (10) years, at an interest rate of one-half of the City's prime borrowing rate, amortized for a maximum period of ten years.

   The interest rate shall be established at time of loan approval. Interest shall commence to run after the Interest Adjustment Date (I.A.D.) namely, the first of the month following full advancement of the loan. Repayment of loans shall be monthly but open to full repayment at any time without notice or penalty.

2. These loans are solely intended for the owners of lands within the said designated Community Improvement Project Area where the owners' lands are used for non-residential commercial purposes which, in the opinion of the City,

   (a) are intended for the eligible improvements and expenses contemplated in the corresponding Plan.

   (b) fulfil the objectives of the City expressed in the corresponding Plan.

   (c) meet the security/equity and other requirements of the City's loan program including the requirements specified herein.

3. While businesses which are tenants are not, according to the Planning Act, eligible for loans provided for in the Plan attached, loans to eligible property owners for improvements which will also benefit business tenants are provided for in the Plan.

4. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of $15,000. in respect of the cost of eligible facade and exterior renovations to each separate location of the owner's property specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area. These loans are subject to a maximum limit of $45,000. (3 units, $15,000. each) for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s).

5. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of $10,000. in respect of the cost of eligible interior improvements to each separate location of the owner or of a tenant under lease from the owner, specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area, subject to,

(a) a loan maximum of $30,000. for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s); and,

(b) the tenant, if any, accepting in writing the proposed interior improvements.

6. Loans may be for the following types of improvements and their related expenses:

- exterior building envelope;
- major building systems, including roof, wiring, plumbing, heating;
- interior fixtures, including partitions;
- interior decorating, including lighting, painting, wallpaper, etc.;
- built-in showcases, freezers, special plumbing, etc.;
- exterior/interior signage;
- related professional fees (architects, engineers, appraisers, lawyers, etc.) and the application fee of the greater of 1.5% of the loan or $200.;
- such other loan program administrative fees fixed by Council from time to time.

Loans shall be advanced only in respect of completed work which has been inspected by the City.

Loans may not be made for expenses such as chattels, (such as tables, chairs, cash registers) nor shall loans be made for rental/owner occupied residential accommodation.

7. The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department. Deficiencies shall qualify for a loan in advance of facade improvements (store fronts, aesthetics, signage etc.).

8. The owner will obtain two estimates for all eligible improvements after the City's inspection of the building. Where an owner personally carries out the work, only the cost of materials is eligible for a loan, upon receipt of invoices.

9. A report by the Building Department (Housing and Loans Division) on each loan will be made to the Planning and Development Committee and Council for approval. The recommendation of the Board of Management of the local B.I.A. will be received in respect of the exterior improvement portion of the loan applications.

10. (a) Each borrower shall give the City a promissory note in respect of each loan; and

(b) As security for repayment of the loan made by the City, the borrower shall:

(i) where the borrower is a limited company, provide the City with the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the corporate borrower to borrow the loan and give the loan security to the City;

(ii) consent to a City Lien being registered on title to the property being improved in which the property owner must have at least 20% equity, after covering outstanding property encumbrances, not including the amount of the City's loan;

(iii) where an owner has less than 20% equity in the property being improved,

(1) the owner may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City, at the owner's expense, the collateral mortgage in a form satisfactory to the City Solicitor; and

(2) the owner may provide the City with a guarantee from another person, provided the guarantee is secured by a mortgage on the Guarantor's property that meets the City's equity requirements and the Guarantor's lawyer prepares and certifies the guarantee and the collateral mortgage to the City, at the owner's expense, in a form satisfactory to the City Solicitor;

(iv) keep in good standing business taxes, realty taxes and B.I.A. levies.

11. Upon sale of the property improved by the loan, the loan/lien is due and payable in full to the City unless the new owner of the property meets the lending criteria and assumes the original terms and conditions of the loan.

Upon sale of a property which secures by a collateral mortgage repayment of a loan, the loan is due and payable in full to the City.

CIPMWBIA

Appendix "C" referred to in Section 3(a) of the **SIXTH** Report of the Planning and Development Committee for 1998

THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S COMMUNITY IMPROVEMENT PLAN FOR THE EXPANDED AREA OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S COMMUNITY IMPROVEMENT PROJECT AREA

1998 February

THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S COMMUNITY IMPROVEMENT PLAN FOR THE EXPANDED AREA OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S COMMUNITY IMPROVEMENT PROJECT AREA

PREFACE:

The Downtown Hamilton Business Improvement Area's Community Improvement Project Area was originally designated by By-law 94-186. The Area was subsequently expanded by By-law 98-040. The geographic areas delineated by both By-laws 94-186 and 98-040 are the subject of a Community Improvement Plan passed 1994 December 13.

By-law 98-040 has further enlarged the geographic area of the Downtown Hamilton Business Improvement Area's Community Improvement Project Area.

PURPOSE:

This Community Improvement Plan is intended to apply to the expanded geographic area of the Downtown Hamilton Business Improvement Area's Community Improvement Project Area as set out in By-law 98-040 and is more particularly shown on Appendix A.

Rather than being focused on large scale redevelopement, this Community Improvement Plan focuses on rehabilitation and the updating of existing facades and interiors.

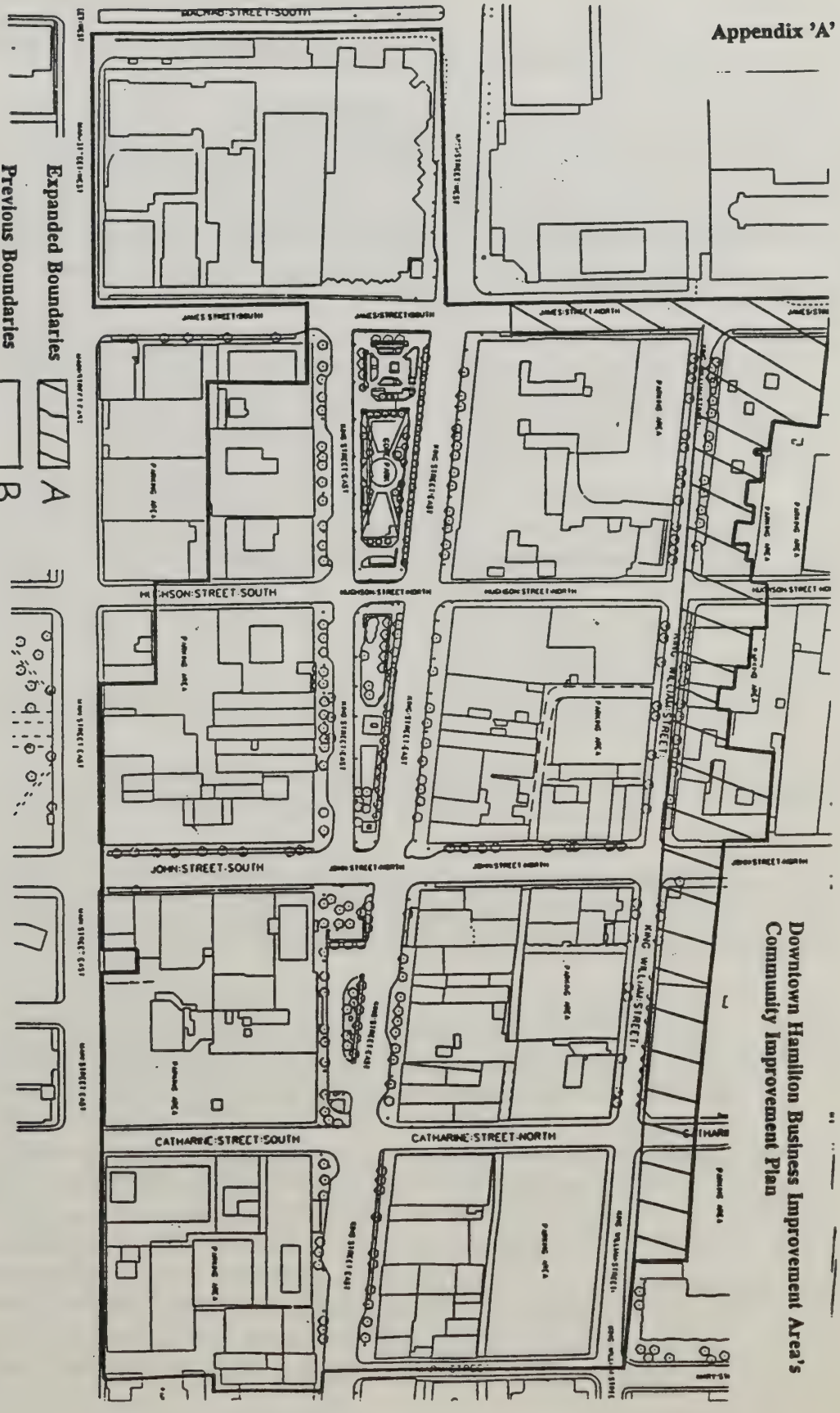
This Community Improvement Plan does not replace the existing Community Improvement Plan for the geographic areas delineated by both By-laws 94-186 and 98-040.

ASSISTANCE FOR THE EXPANDED AREA:

The area encompassed within the Downtown Hamilton Business Improvement Area's Community Improvement Project Area falls within the Central Policy Area as per the City of Hamilton's Offical Plan. Accordingly it is promoted as a multi-use node by creating an attractive environment in which to live, work, do business shop or visit. Improvements to the streetscape have been implemented by the City of Hamilton including, but not limited to, improved lighting, installation of benches, urban braille, ground level planting.
The visual appearance of the area could also be enhanced through the upgrading of existing building fronts and interiors. It is recognized that such improvements not only increase the attractiveness of the area, but also assist in putting forward a positive commercial image.

To encourage individual owners of buildings to renovate, loans are available from the Municipality under this plan through the Commercial Property Improvement Loan Program in accordance with the guidelines attached as Appendix B.

Appendix 'A'



Downtown Hamilton Business Improvement Area's Community Improvement Plan

APPENDIX 'B'

COMMERCIAL PROPERTY IMPROVEMENT LOAN PROGRAM

GUIDELINES

1. Upon receipt of a satisfactory application which meets the criteria of the loan program, including the criteria set out herein, loans may be made by the City for a term not exceeding ten (10) years, at an interest rate of one-half of the City's prime borrowing rate, amortized for a maximum period of ten years.

   The interest rate shall be established at time of loan approval. Interest shall commence to run after the Interest Adjustment Date (I.A.D.) namely, the first of the month following full advancement of the loan. Repayment of loans shall be monthly but open to full repayment at any time without notice or penalty.

2. These loans are solely intended for the owners of lands within the said designated Community Improvement Project Area where the owners' lands are used for non-residential commercial purposes which, in the opinion of the City,

   (a) are intended for the eligible improvements and expenses contemplated in the corresponding Plan.

   (b) fulfil the objectives of the City expressed in the corresponding Plan.

   (c) meet the security/equity and other requirements of the City's loan program including the requirements specified herein.

3. While businesses which are tenants are not, according to the Planning Act, eligible for loans provided for in the Plan attached, loans to eligible property owners for improvements which will also benefit business tenants are provided for in the Plan.

4. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of $15,000. in respect of the cost of eligible facade and exterior renovations to each separate location of the owner's property specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area. These loans are subject to a maximum limit of $45,000. (3 units, $15,000. each) for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s).

5. Loans may be made to an owner of a non-residential commercial property not exceeding the sum of $10,000. in respect of the cost of eligible interior improvements to each separate location of the owner or of a tenant under lease from the owner, specially assessed or specially assessable for a levy payable to the Board of Management of the respective Business Improvement Area, subject to,

(a) a loan maximum of $30,000. for each deeded property of the owner per twelve month period from the date of Council approval of the last previous loan(s); and,

(b) the tenant, if any, accepting in writing the proposed interior improvements.

6. Loans may be for the following types of improvements and their related expenses:

- exterior building envelope;
- major building systems, including roof, wiring, plumbing, heating;
- interior fixtures, including partitions;
- interior decorating, including lighting, painting, wallpaper, etc.;
- built-in showcases, freezers, special plumbing, etc.;
- exterior/interior signage;
- related professional fees (architects, engineers, appraisers, lawyers, etc.) and the application fee of the greater of 1.5% of the loan or $200.;
- such other loan program administrative fees fixed by Council from time to time.

Loans shall be advanced only in respect of completed work which has been inspected by the City.

Loans may not be made for expenses such as chattels, (such as tables, chairs, cash registers) nor shall loans be made for rental/owner occupied residential accommodation.

7. The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department. Deficiencies shall qualify for a loan in advance of facade improvements (store fronts, aesthetics, signage etc.).

8. The owner will obtain two estimates for all eligible improvements after the City's inspection of the building. Where an owner personally carries out the work, only the cost of materials is eligible for a loan, upon receipt of invoices.

9. A report by the Building Department (Housing and Loans Division) on each loan will be made to the Planning and Development Committee and Council for approval. The recommendation of the Board of Management of the local B.I.A. will be received in respect of the exterior improvement portion of the loan applications.

10. (a) Each borrower shall give the City a promissory note in respect of each loan; and

(b) As security for repayment of the loan made by the City, the borrower shall:

(i) where the borrower is a limited company, provide the City with the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the corporate borrower to borrow the loan and give the loan security to the City;

(ii) consent to a City Lien being registered on title to the property being improved in which the property owner must have at least 20% equity, after covering outstanding property encumbrances, not including the amount of the City's loan;

(iii)where an owner has less than 20% equity in the property being improved,

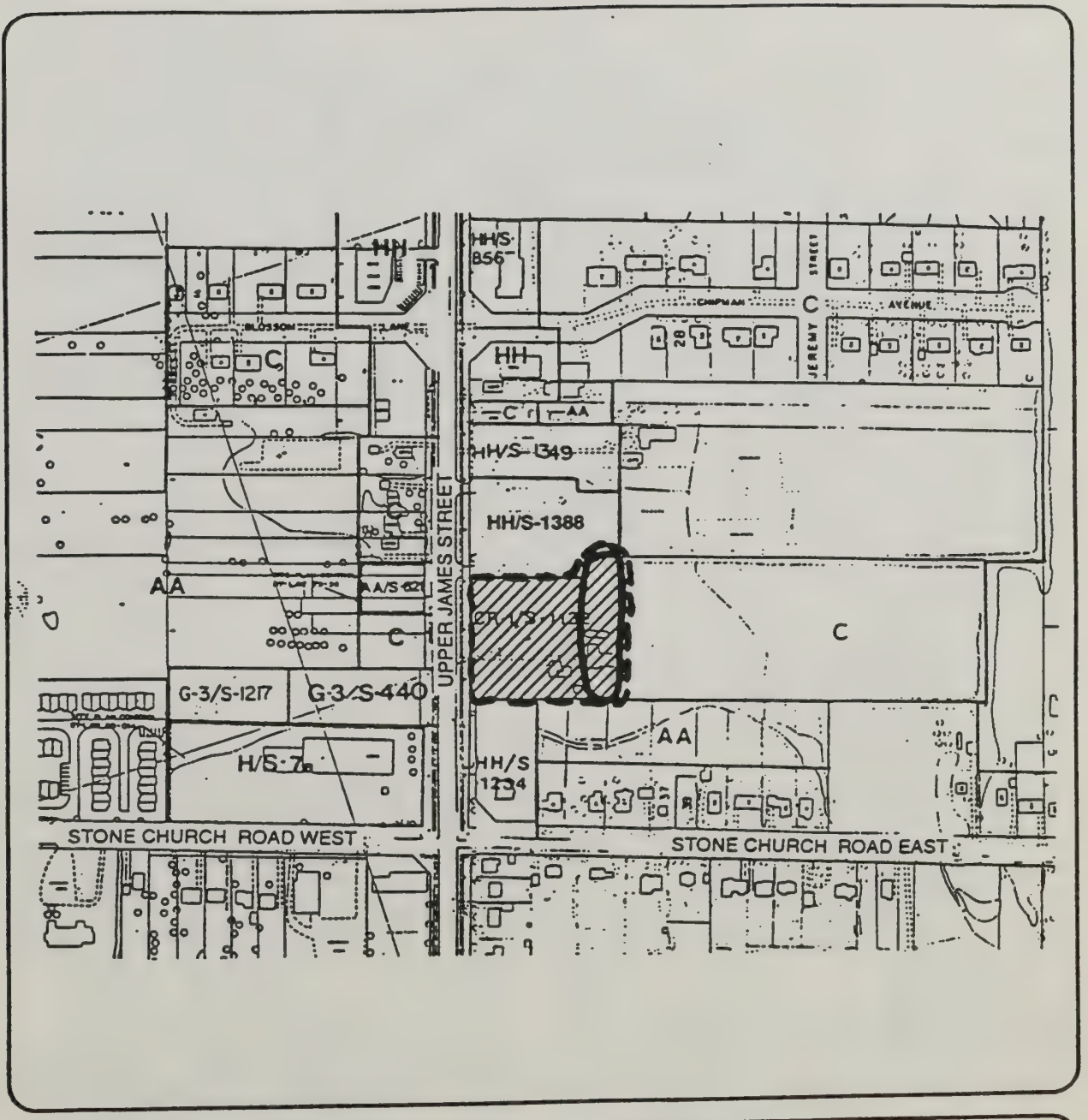
(1) the owner may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City, at the owner's expense, the collateral mortgage in a form satisfactory to the City Solicitor; and

(2) the owner may provide the City with a guarantee from another person, provided the guarantee is secured by a mortgage on the Guarantor's property that meets the City's equity requirements and the Guarantor's lawyer prepares and certifies the guarantee and the collateral mortgage to the City, at the owner's expense, in a form satisfactory to the City Solicitor;

(iv) keep in good standing business taxes, realty taxes and B.I.A. levies.

11. Upon sale of the property improved by the loan, the loan/lien is due and payable in full to the City unless the new owner of the property meets the lending criteria and assumes the original terms and conditions of the loan.

Upon sale of a property which secures by a collateral mortgage repayment of a loan, the loan is due and payable in full to the City.



City of Hamilton

Plan Showing Lands Subject to Site plan Control

Application ZAC-97-39

Planning and Development Department

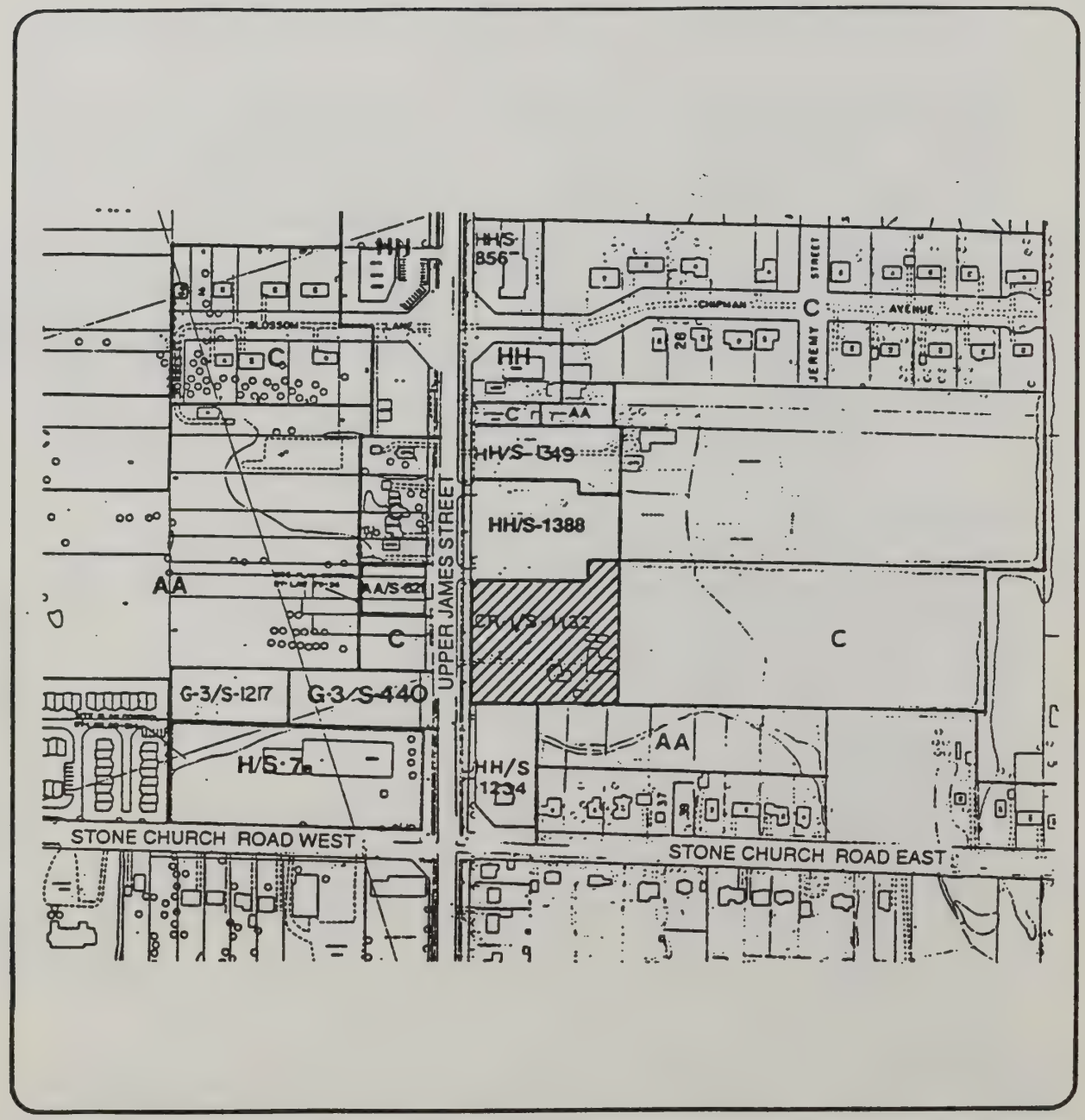
Legend

Lands to be redesignated from "Residential" to "Commercial"

Lands to be redesignated from "Special Policy Area 31a" to "Special Policy Area 31"

North	Scale	Reference File No.
	Not to Scale	ZAC-97-39
	Date	Drawn By
	December 1997	F.A.

Appendix "E" referred to in Section 5(b) of the **SIXTH** Report of the Planning and Development Committee for 1998



City of Hamilton

Plan Showing Lands Subject to Site plan Control

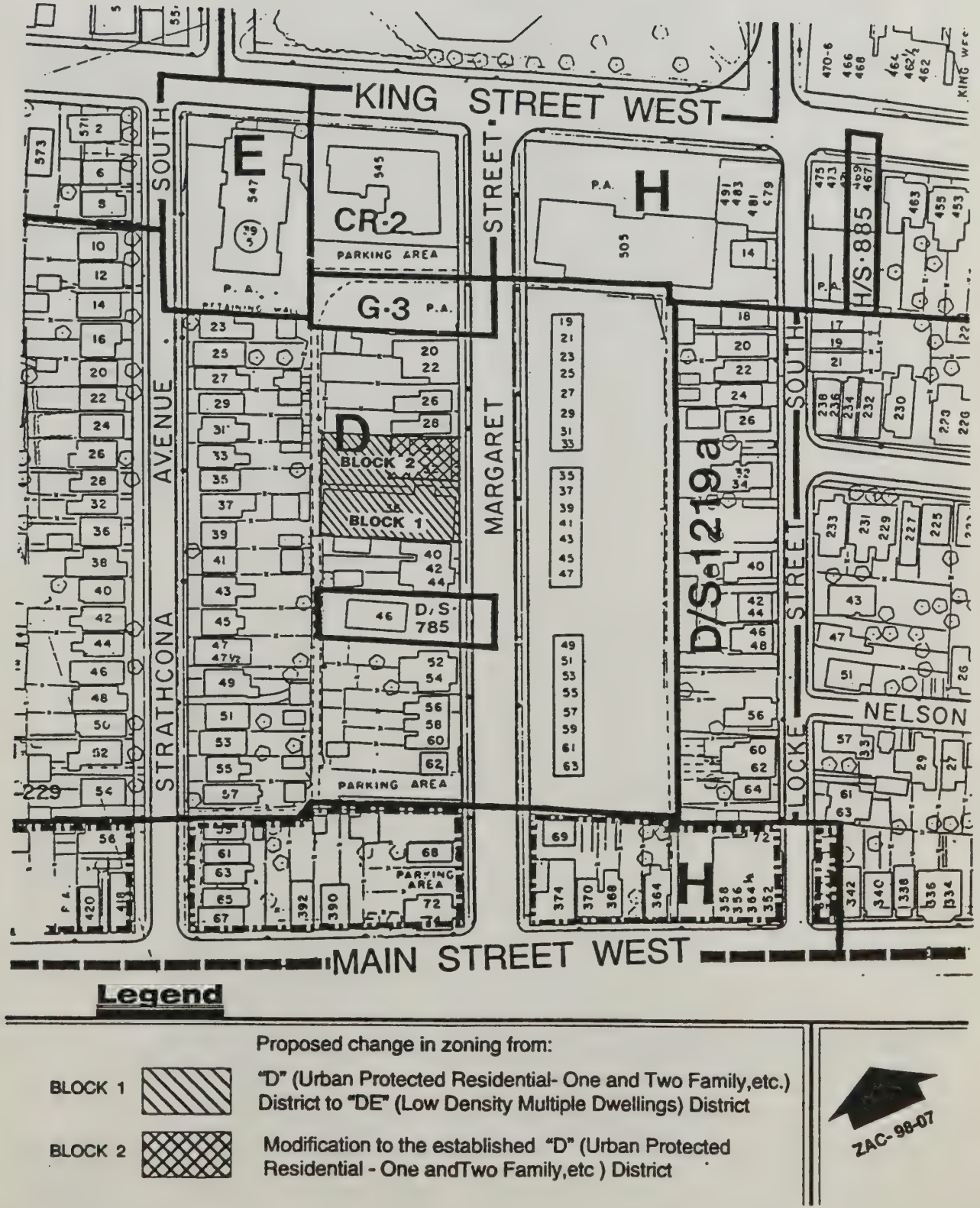
Application ZAC-97-39

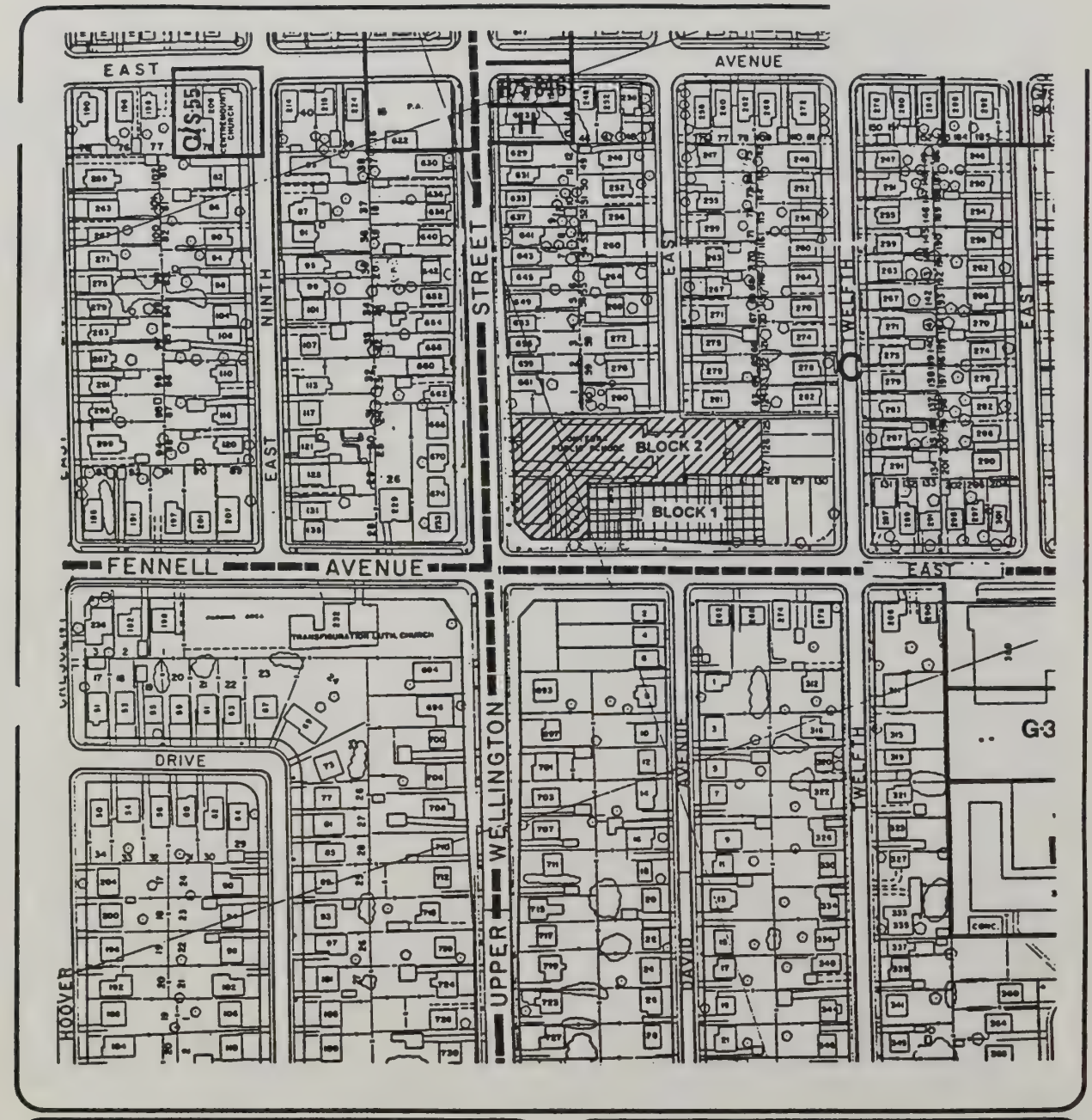
Planning and Development Department

Legend

Site of the Application

North	Scale	Reference File No.
	Not to Scale	ZAC-97-39
	Date	Drawn By
	December 1997	F.A.


KING STREET WEST
SOUTH STREET
MARGARET AVENUE
STRATHCONA
LOCKE STREET SOUTH
NELSON
MAIN STREET WEST
E
CR-2
PARKING AREA
G-3
P.A.
H
H/S-885
D
BLOCK 2
BLOCK 1
D/S-785
D/S-1219a
PARKING AREA
PARKING AREA
Legend
Proposed change in zoning from:
BLOCK 1
"D" (Urban Protected Residential- One and Two Family,etc.) District to "DE" (Low Density Multiple Dwellings) District
BLOCK 2
Modification to the established "D" (Urban Protected Residential - One andTwo Family,etc) District
ZAC-98-07



Legend

Change in Zoning From:

BLOCK 1 From "C" (Urban Protected Residential, etc.) District To "RT-20" - "H" (Townhouse - Maisonette - Holding) District, Modified.

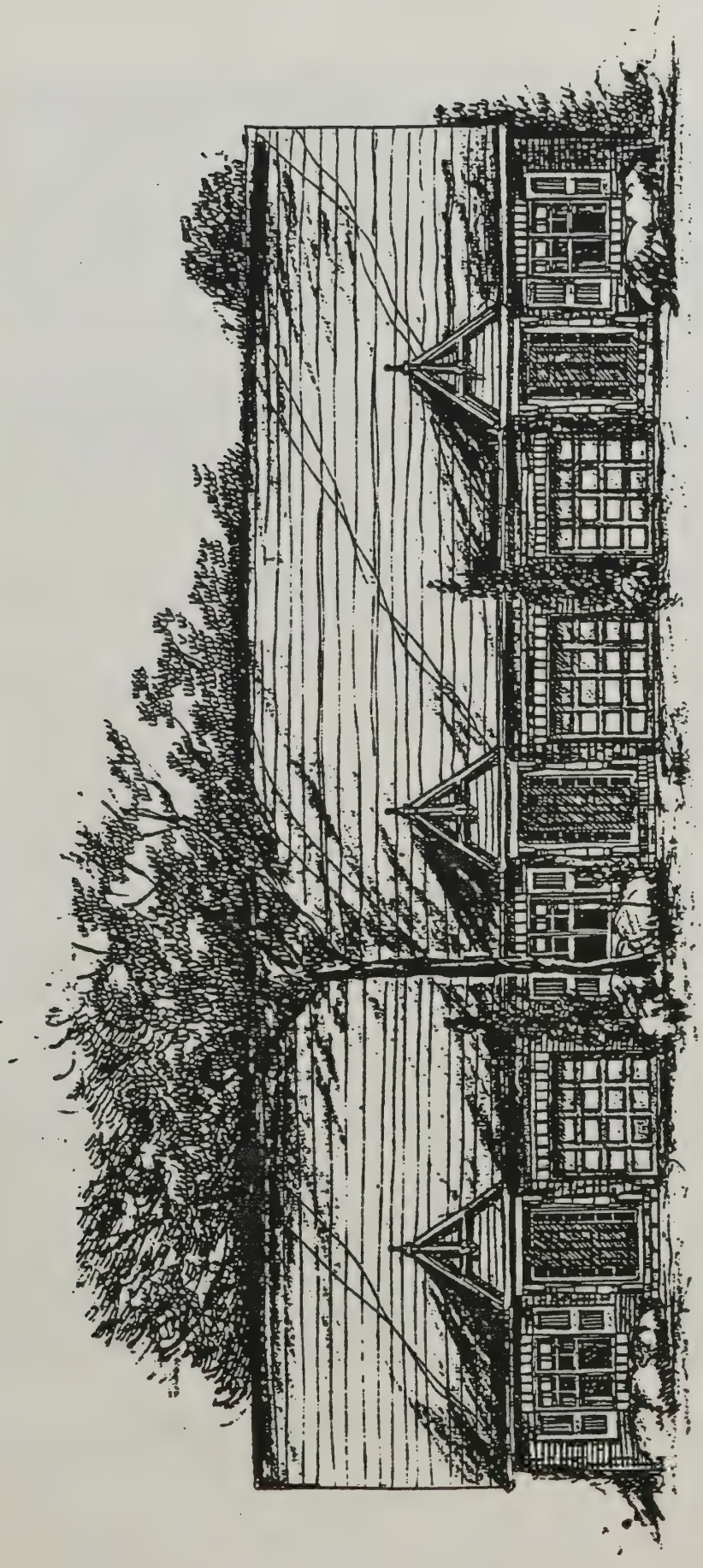
BLOCK 2 From "C" (Urban Protected Residential, etc.) District To "RT-20" - "H" (Townhouse - Maisonette - Holding) District, Modified.

City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-03
	Date	Drawn By
	March, 1998	R. L.



ONTEORA *Place*

McMaster University: Historic Core
(University Hall, Hamilton Hall, Wallingford Hall, Edwards Hall, the Refectory and the Alumni Memorial Building)

REASONS FOR DESIGNATION

CONTEXT (Present Setting and History of the Site)

The historic core of the main campus of the present–day McMaster University comprises a cluster of five Collegiate Gothic brick and stone buildings opened in 1930 (University Hall, Hamilton Hall, the Refectory, Wallingford Hall, Edwards Hall and the Alumni Memorial Building, built 20 years later in a similar style. Placed informally in partially enclosed quadrangle configurations, these stylistically unified buildings loosely follow the irregular edge of the heavily wooded ravine area forming the northern boundary of the campus. Though not part of the original complex, the modestly scaled Alumni Memorial Building fits unobtrusively into its setting, standing on a triangular pocket of sloping land bounded by the ravine to the west, University Hall and Hamilton Hall to the south, and Edwards Hall to the east. The open space between the buildings and bordering the ravine is landscaped with grass, trees and a network of footpaths. With the exception of the greenhouse added in the late 1960s, the historic core has essentially retained its original character, notably, the harmonious relationship between the buildings and landscape.

The planners for the original Hamilton campus of McMaster University envisaged a seat of higher learning set in parklike surroundings. This concept was developed as part of a larger beautification scheme spearheaded by Thomas B. McQuesten, an influential member of the City's Board of Parks Management. Largely implemented between 1927 and 1932, this scheme also encompassed a wildlife sanctuary around Cootes Paradise, nature trails, a rock garden and other landscaped areas which together make up the present–day Royal Botanical Gardens, as well as a grand north–western entrance to Hamilton with a monumental high level bridge over the Desjardins Canal.

The original landscaping plan for the McMaster campus was prepared by Dunnington–Grubb, one of Ontario's foremost landscape gardening and design firms. As recommended by Dunnington–Grubb, and endorsed by the Parks Board, the first buildings were carefully sited to take full advantage of the natural setting, described at the time as "one of the most beautiful natural ravines in Canada"*. Only the two large central academic buildings, Hamilton Hall and University Hall, were primarily oriented towards King and Main streets to the south: the latter, with its dominant corner tower, provided a strong visual terminus to University Avenue, once the principal approach to the campus. Plans to beautify the City–owned lands south of the campus included a sunken garden between King and Main (built according to plans prepared by Dunnington–Grubb and removed for the construction of the Health Sciences Complex).

* McMaster University, Hamilton, Ontario", *Construction*, November 1930, p. 373.

HISTORY (Institution and Buildings)

McMaster was founded in 1887 in Toronto as a small Baptist university devoted to arts and theology, named after its founder and first benefactor, Senator William McMaster. A campaign to bring McMaster University to Hamilton, launched by a Citizens' Committee and headed by local businessman William J. Westaway, concluded successfully in 1927. McMaster then accepted the City's offer, which included the donation of a magnificent site just west of the emerging suburb of Westdale; landscaping to be undertaken by its Parks Board (both on the campus and the adjacent lands south of King Street) and a gift of $500,000 from the citizens of Hamilton to build a science building.

The transplanted McMaster University re–opened in 1930 with Howard P. Whidden as its first chancellor and a combined faculty and student population of about 650. It soon ranked as one of the principal institutions of higher learning in the province, along with the University of Toronto, Queen's University (Kingston) and the University of Western Ontario (London). McMaster retained its Baptist affiliation until becoming a non–denominational institution in 1957.

The original cluster of five buildings, all erected in 1929–30, comprised University Hall (arts and administration building), which included a library and auditorium (Convocation Hall), Hamilton Hall (science building), Edwards Hall (men's residence), Wallingford Hall (women's residence), the Refectory (dining hall and central heating plant). Fund–raising for an ambitious scheme to build a large student recreation centre, that would also serve to honour the 54 students and graduates who lost their lives in the first and second world wars, was begun in 1946. Three years later, when the funds pledged by alumni and undergraduates still fell far short of the total required, it was decided to proceed with a scaled–down version on a different site. Completed in 1951, the Alumni Memorial Building originally housed a cafeteria (the Buttery), men's and women's lounges, a common room (Memorial Hall) and offices for the Alumni Association.

ARCHITECTURE

Designed by the noted Hamilton–born, Toronto–based architect, William Lyon Somerville, in association with J. Francis Brown & Son, the original five buildings rank as very good examples of the Collegiate Gothic style. The architects followed a precedent established for new buildings on other Canadian university campuses, which took their inspiration both from the medieval colleges of Oxford and Cambridge and the late 19th/ early 20th century American campus buildings influenced by this tradition (notably, Princeton University). The McMaster buildings are included in a brief national survey of Collegiate Gothic architecture, along with several earlier Canadian examples: various buildings for Victoria College, and Hart House (1911–24) at the University of Toronto, the College of Agriculture at the University of Saskatchewan (1910–12) and the Science Building at the University of British Columbia (1914–25).* The two main buildings, University Hall and Hamilton Hall, were described by the art historian and McMaster graduate, Robert Hubbard, as "probably the best Gothic group in Canada", after parts of Victoria College and Hart House.** They are distinguished by their stone exteriors: rock–faced ashlar with dressed stone trim and carved ornamentation. The other four buildings are brick masonry with stone trim. All pitched roofs are covered with slate; and the original windows were all leaded glass casement windows.

* Harold Kalman, *A History of Canadian Architecture*, vol. 2 (Oxford University Press: 1994), pp. 706–711

** R.H. Hubbard, "Modern Gothic in Canada", *National Gallery of Canada Bulletin*, vol. 25 (1975), pp. 3, 15.

Inspired by the 15th century Magdalen College at Oxford University and reminiscent of Hart House, University Hall is the most architecturally distinctive of the original McMaster buildings. This three–storey building with a rear wing housing Convocation Hall is notable for its buttressed corner tower with a Tudor archway, crenellated parapet and carved stone finials, its picturesque roofline created by the projecting gabled third–storey windows and chimney stack, its varied fenestration (including some stone tracery, an elaborate two–storey bay window on the tower and an oriel window), and its dignified main entrance. This raised entrance portico features a pointed archway with decorative wrought–iron doors, an ornate carved stone surround and a crenellated parapet bearing the University crest.

University Hall also has the finest interior space: the large auditorium known as Convocation Hall, which was designed in the tradition of English college halls. The main space is divided into seven bays, articulated by Tudor–arched wood trusses sprung from stone corbels (representing the heads of famous scientists and philosophers) to support an oak–panelled ceiling. Rising between the corbels are tall leaded–glass Gothic windows with stone tracery and frames. The rear of the auditorium features a balcony supported by four octagonal columns with a solid paneled oak balustrade and a set of three double wood doors leading to the stair hall. At the front, the Tudor–arched opening of the proscenium focuses attention on the impressive stained–glass Gothic window above the platform: the Bunyan Memorial Window.

The adjacent Hamilton Hall, an L–shaped 3–storey building, is similar in construction and exterior detailing to University Hall but has a somewhat more utilitarian character, in keeping with its original function as a science facility. Notable features include the crenellated parapet of the predominantly flat roof, the very large casement windows on the first and second floors (laboratories and lecture rooms), the carved stone oriel window with its sundial, and the entrance portico with its pointed archway, wrought–iron gates, and stone carvings symbolizing the joint McMaster/Hamilton project and representing the various sciences.

The two residences: Wallingford Hall (for women) and Edwards Hall (for men), though differing in size and layout, are very similar in their exterior treatment. Both have Tudor–arched doorways with cut and carved stone surrounds, casement windows with cut–stone surrounds, and picturesque rooflines with tall gables and chimneys. Wallingford House also features two–storey bay windows and an oriel window over the east entrance (all constructed of stone).

The Refectory, though similar in its massing and materials to the residence buildings, has a more domestic "Arts and Crafts" character, with stone used sparingly for plain capstones and sill courses. It features a prominent steep–pitched roof surmounted by a cupola (over the dining hall), buttressed walls, two open wood porches with steep gable roofs (west and north facades), and two tall bay windows. The spacious dining hall is notable for its impressive open–truss, wood–panelled ceiling with the original hanging globe light fixtures.

Built in 1949–51, the Alumni Memorial Building was sensitively designed by the architects (Bruce Brown and Brisley in collaboration with W.L. Somerville) to complement the style of the original buildings, respect their siting and take full advantage of the ravine–edge setting. Built on a sloping site, this T–shaped 1 1/2 storey brick masonry building has an above grade basement on the west facade, allowing for panoramic views of the ravine from both the main hall and dining room below. In its overall massing and detailing, the Alumni Memorial Building most closely resembles the Refectory and, except for the elaborate front entrance, possesses the same domestic character. The projecting entrance porch, with its Tudor archway, cut–stone surround and recessed Tudor–arched doorway serves as a visual focal point for visitors approaching the building from the long straight pathway from Scholar's Road. The double glazed wood doors lead directly up a small flight of stairs to the impressive main hall with its high wood–panelled truss ceiling and stone fireplace.

DESIGNATED FEATURES

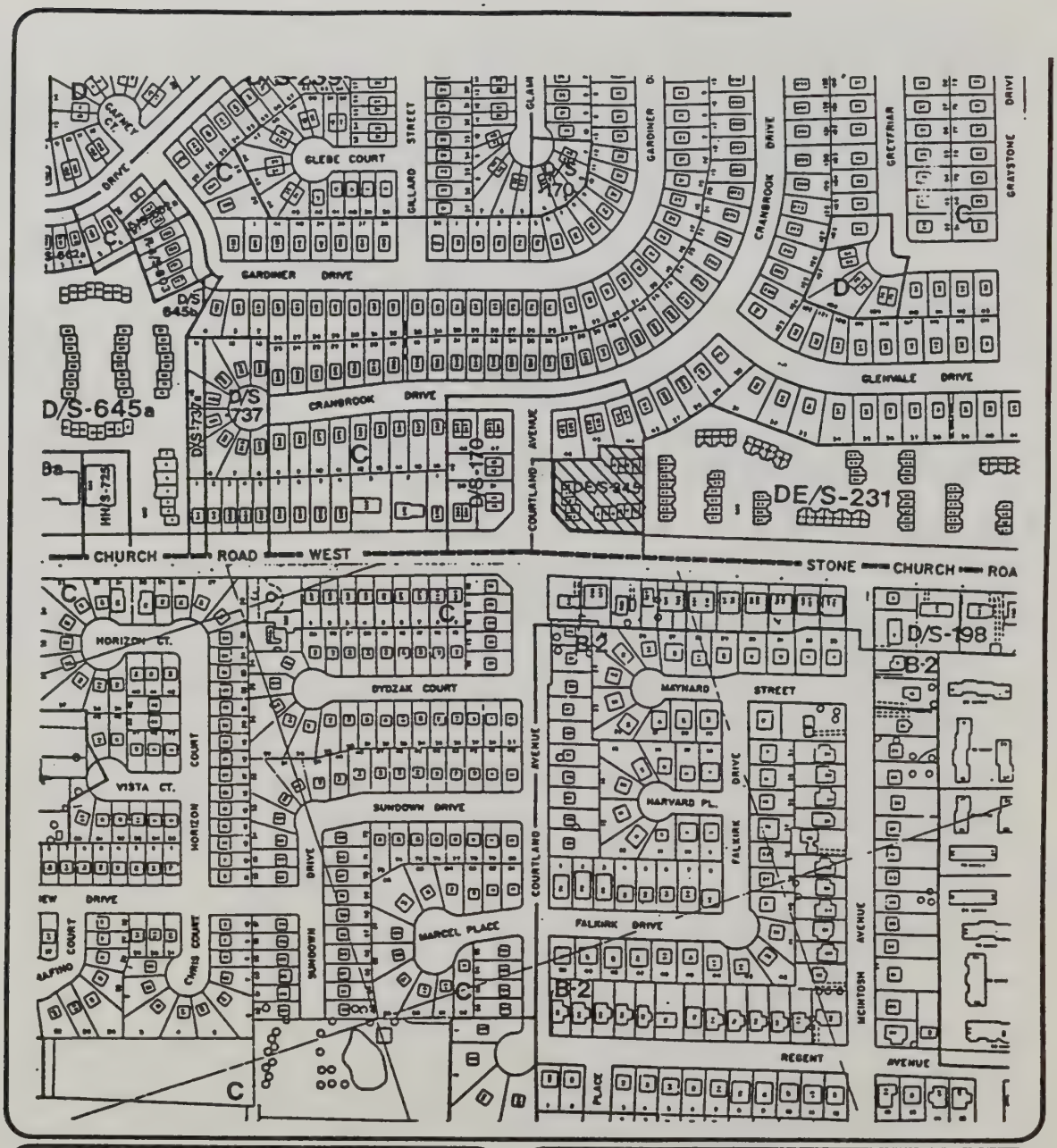
The boundaries of the designated property extend from the west side of Wallingford Hall to the east side of University Hall and Edwards Hall and from Scholars Road to the ravine edge and the north side of Edwards Hall; it also includes Hamilton Hall and the Alumni Memorial Building.

Important to the preservation of this cluster of six buildings are:
– the original architectural materials and features of the facades and roofs of all six buildings, including the stone ashlar and brick masonry walls; cut stone door/ window surrounds, mullions and tracery; stone entrance steps, carved stone ornamentation, wrought–ironwork (notably the entrance doors of University Hall and Hamilton Hall).
– the landscaped open space within the boundaries defined above, including the low stone wall with the Tudor archway linking University Hall and Edwards Hall.

Excluded are:
– the brick masonry entrance and stairwell addition to the south facade of the Refectory, providing access to the basement cafeteria/pub (1964–5).
– the glazed bridge connection to Gilmour Hall on the north facade of the tower of University Hall (1970–71).
– the greenhouse between the Refectory and Hamilton Hall (circa 1968).
– ancillary service and utility structures.

Also important to the preservation of University Hall, the Refectory and the Alumni Memorial Building are the interior spaces identified respectively as Convocation Hall, the Refectory Dining Hall and Memorial Hall and all of their original architectural finishes and features.

Appendix "J" referred to in Section 17(a) of the **SIXTH** Report of the Planning and Development Committee for 1998



City of Hamilton

Key Map

11-23 COURTLAND AVENUE

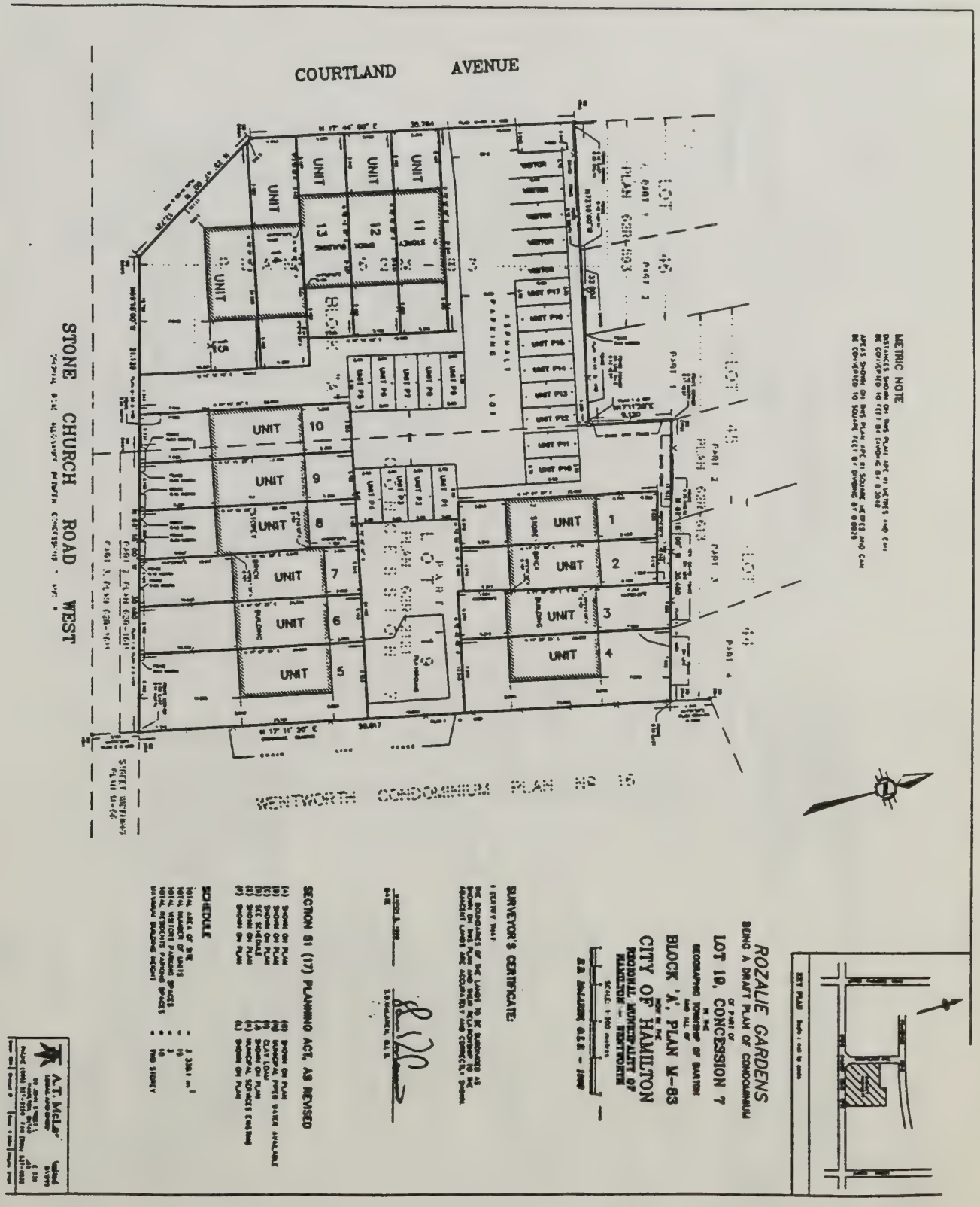
Planning and Development Department

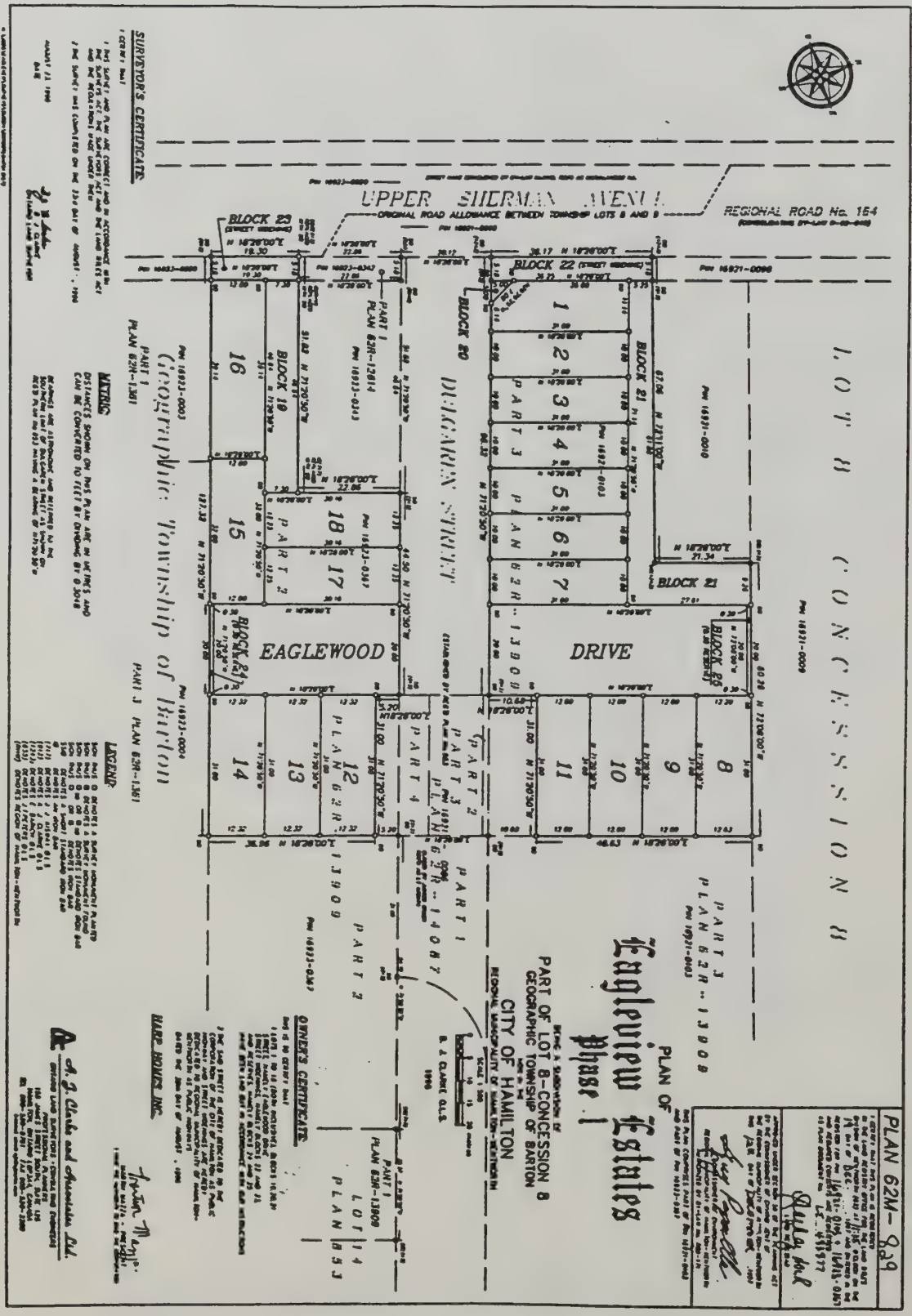
Legend

Location of Subject Lands

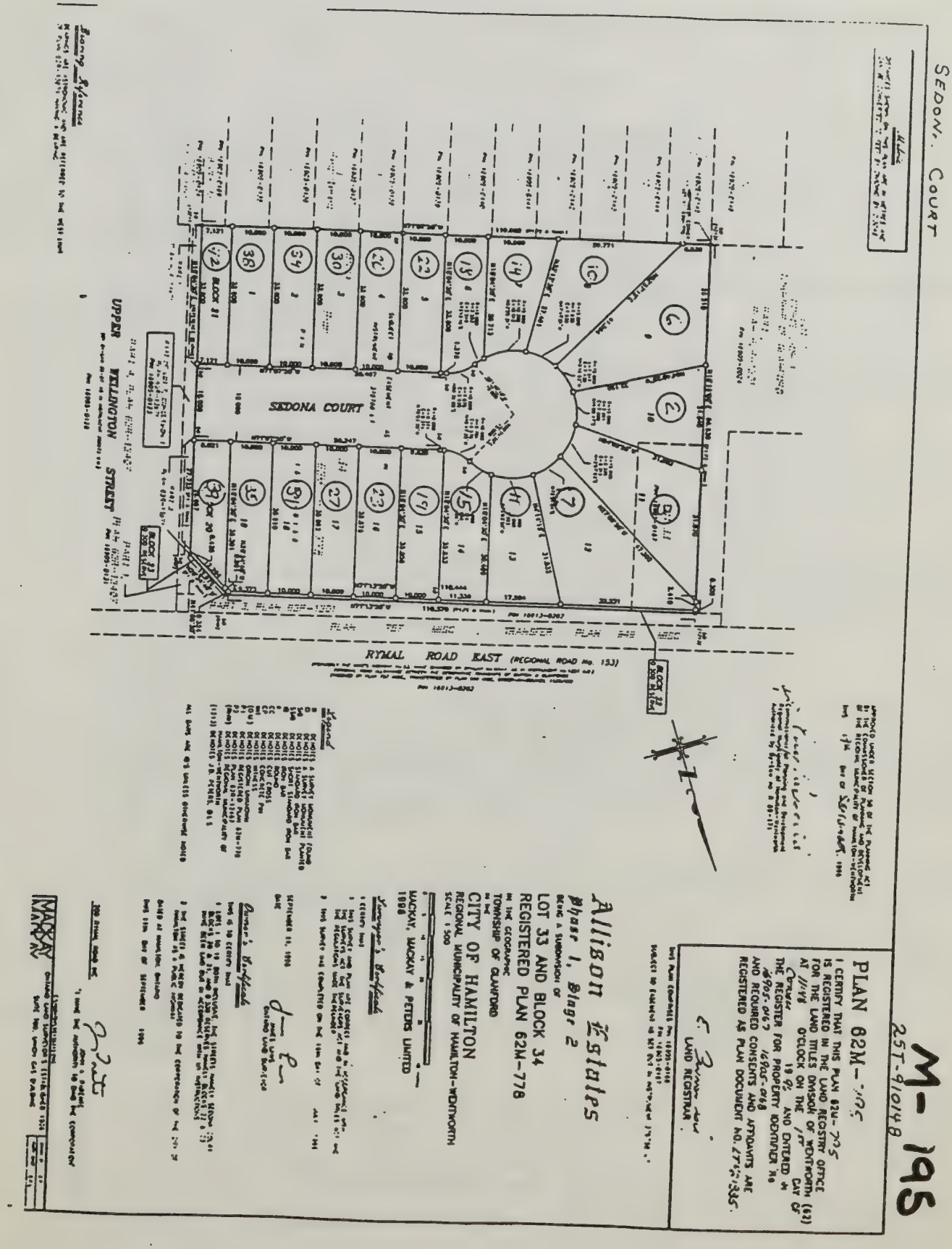
North	Scale	Reference File No.
	Not to Scale	CDM CONV 98001
	Date	Drawn By
	March 1998	R.L.

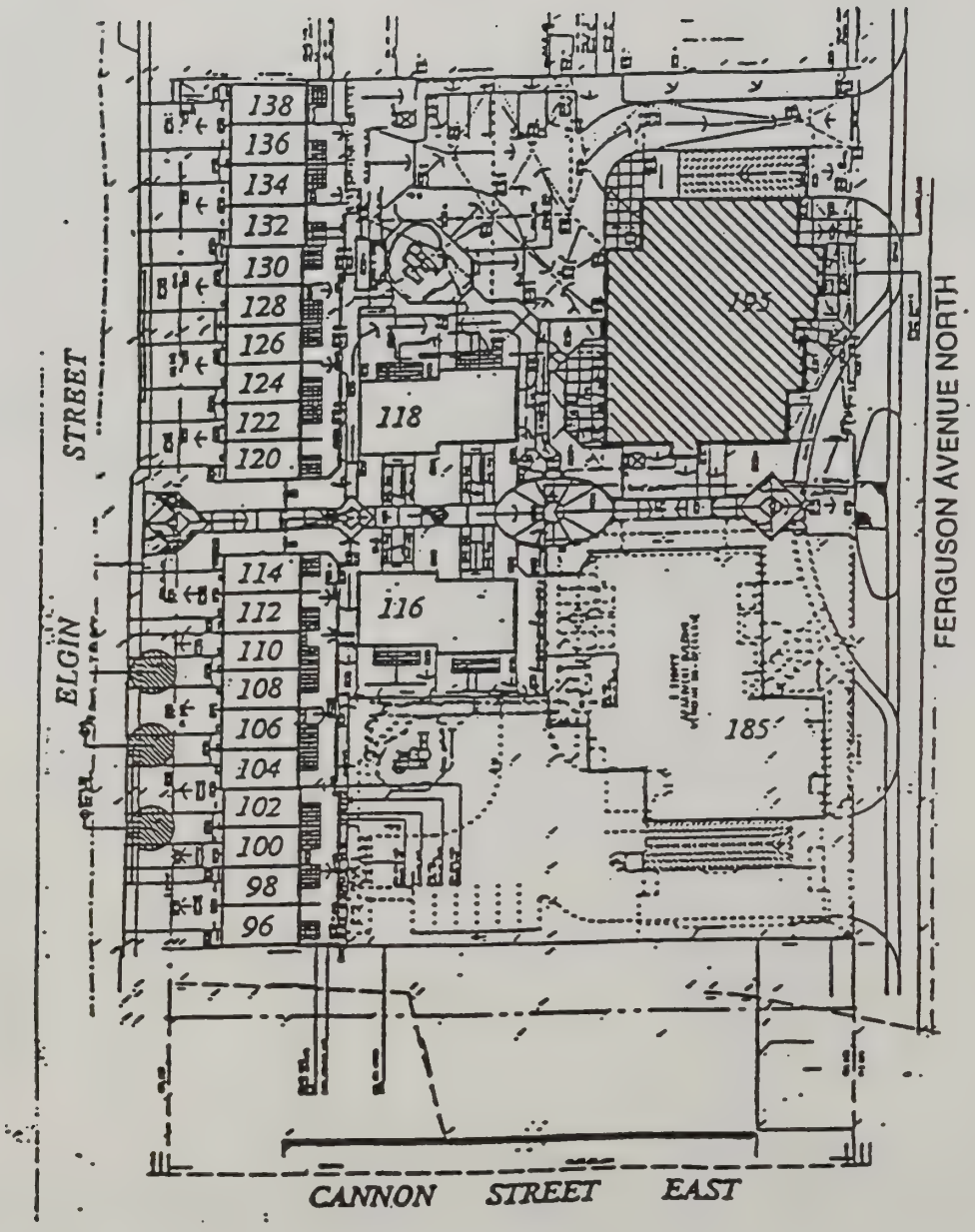
Appendix "K" referred to in Section 17(a)(i) of the **SIXTH** Report of the Planning and Development Committee for 1998




EAGLEWOOD DRIVE
M-824
PLAN 62M-829
UPPER SHERMAN AVENUE
REGIONAL ROAD No. 154
LOT 11 CONCESSION II
BLOCK 20
BLOCK 21
BLOCK 22
BLOCK 23
EAGLEWOOD DRIVE
PART 3 PLAN 62R-13909
PART 1 PLAN 62R-13909
PART 2 PLAN 62R-13909
PART 4 PLAN 62R-13909
PART 1 PLAN 62R-13814
PART 1 PLAN 62R-1361
PART 3 PLAN 62R-1361
Plan of EaglevIew Estates Phase 1
PART OF LOT 8-CONCESSION II
GEOGRAPHIC TOWNSHIP OF BARTON
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SURVEYOR'S CERTIFICATE
OWNER'S CERTIFICATE
METRIC
LEGEND
HARP HOMES INC.
A. J. Clarke and Associates Ltd.

S.K.


SEDONA COURT
SEDONA COURT
UPPER WELLINGTON STREET
RYMAL ROAD EAST (REGIONAL ROAD No. 153)
PLAN 62M-
I CERTIFY THAT THIS PLAN 62M-
IS REGISTERED IN THE LAND REGISTRY OFFICE
FOR THE LAND TITLES DIVISION OF WENTWORTH (62)
AT
O'CLOCK ON THE
DAY OF
19
AND ENTERED AS
THE REGISTER FOR PROPERTY IDENTIFIER NO
AND REQUIRED CONSENTS AND AFFIDAVITS ARE
REGISTERED AS PLAN DOCUMENT NO.
LAND REGISTRAR
Allison Estates
Phase 1, Stage 2
BEING A SUBDIVISION OF
LOT 33 AND BLOCK 34
REGISTERED PLAN 62M-778
IN THE GEOGRAPHIC
TOWNSHIP OF GLANFORD
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE 1:500
MACKAY, MACKAY & PETERS LIMITED
1998
SEPTEMBER 11, 1998
DATE
Surveyor's Certificate
Owner's Certificate
MACKAY
M-195
25T-9101#8



Legend

Site of the Application

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1998 and respectfully recommends:

1. That the following resolution respecting the Multilateral Agreement on Investments be approved:

   WHEREAS the Federal Government is in the process of negotiating the Multilateral Agreement on Investments with the 29 wealthiest countries in the world with the intention of having a signed agreement by 1998 September; and,

   WHEREAS concerns about the agreement have already been raised by 565 organizations, with representatives in 70 countries around the world; and,

   WHEREAS the citizens of the City of Hamilton have had little access to information and informed debate on the Multilateral Agreement on Investments, from the federal government, and the mainstream media on its implications locally, provincially, federally and globally;

   THEREFORE BE IT RESOLVED that the Corporation of the City of Hamilton urge the Government of Canada to suspend negotiations on the Multilateral Agreement on Investments until it has consulted more widely and in depth with the people of Canada, especially and including, the soliciting of detailed responses from municipal councils and their citizens; and further,

   That the appropriate City staff prepare a report on the implications of this Agreement on municipal government; and further,

   That a copy of this resolution be sent to local M.P.'s, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

   Recorded vote.

   YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

   NAYS: Alderman D'Amico. -1. **CARRIED.**

2. That as referred to in Section 24 of the 5th Report for 1998 of the Transport and Environment Committee, approved by City Council on 1998 March 10th, the City's share of "Brigadoon Park" servicing at a cost of $186,754.58 be financed from Centre No. CH 00212 "Reserve for Development Charges".

3. (a) That the City of Hamilton accept the offer of Deveaux Babin Productions to host a Hot Spots segment featuring the City in one part of its new series Family Treasures; and,

   (b) That funding in the amount of $2,675. ($2,500. plus $175. GST) for this expenditure be derived from Unclassified Centre 24201.

4. (a) That the City of Hamilton enter into a Licence Agreement for the five (5) advertising billboards (11 poster panels) with Gould Outdoor Advertising, for the period commencing 1998 June 1 to 2003 May 31, at a rental rate of $7,100 per poster panel, totalling $78,100, plus realty taxes for the first year 1998 June 1 to 1999 May 31. On 1999 June 1, a yearly increase of 3% will take effect respectively and revenue from these locations be credited to Account No. CH 44104 31106 (Civic Properties Rented - Rentals); and,

   (b) That the current Lease Agreement with Mediacom Inc. be terminated effective 1998 April 30; and,

   (c) That the City Solicitor be authorized and directed to prepare the necessary Licence Agreement for these locations with Gould Outdoor Advertising and the necessary termination documents for Mediacom Inc.; and,

   (d) That the Mayor and City Clerk be authorized and directed to execute the Licence Agreement.

5. For the information of City Council, the Finance and Administration Committee have made the following appointments to the Hamilton Status of Women Sub-Committee for a term to expire 1999 March 31:

   Alderman M. Kiss
   Zaitoon Adatia
   Jeanne M. Bernard
   Antonella Bifano
   E. Petra Cooke
   Alison Diamond

Kathryn M. Gamble-Lerchner
Julie Gordon
Vickie Houston
Joan MacDonald
Sherry MacIsaac
Deborah Miller
Joanna Stott
Irene Sushko
Cathy Wellwood
Mark Alan Whittle

6. (a) That a By-law respecting Smoking in Public Places and the Workplace, to come into force on 1998 August 1, be approved in principle; and,

(b) That an Implementation Committee consisting of Alderman M. Caplan, Alderman C. Collins, Alderman D. Wilson, Alderman B. Kelly and Alderman D. Haining be established to report back to the Finance and Administration Committee in one month's time.

7. That all area M.P.'s and the Hamilton Harbour Commissioners be invited to attend a meeting with the Committee of the Whole to discuss matters pertaining to the Hamilton Harbour.

8. That the City Solicitor be authorized and directed to prepare a motion for the Courts to enforce the process established by the Walsh decision requiring production of information by the Hamilton Harbour Commissioners to the City's appointed Chartered Accountant.

9. (a) That the City resolve Ontario Court (General Division) Action # 10206/95 by the payment to the Plaintiff, Anthanasios Psarakis, the sum of $9,500 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That the Ontario Court (General Division) Action # 10206/95 be dismissed without costs.

10. (a) That an Offer to Purchase 11 Cheever Street for the price of $40,000, executed by F. Agostino, dated 1998 March 9, be accepted. The said land has a frontage along the westerly limit of Cheever Street of 23.37 metres (76.68 feet) more or less, a depth of 30.25 metres (99.24 feet) more or less and having an irregular shape, comprising a total area of 702.29 square metres (7,559.72 square feet) more or less, being Lot 39 and part of Lot 40, Registered Plan No. 10, said transaction scheduled to close on or before 1998 November 6. Funds derived from this sale less commission be credited to Account Centre CH 00202 (Parking Authority Offstreet Reserve); and,

(b) That it be understood and agreed that:

(i) This Offer is conditional until the closing date upon the purchaser, at his own cost and expense making application for and obtaining the re-zoning of said property to "D" to permit 3 to 4 residential lots; and,

(ii) The Vendor permits the submission by the Purchaser of a re-zoning application and agrees to execute such documentation necessary in connection with the said re-zoning; and,

(iii) The Purchaser acknowledges and agrees that the Vendor's permission to the application does in no way fetter the City's authority to approve or deny the application; and,

(iv) If the required re-zoning set out in paragraph (i) above has not been completed by the date of closing set out herein, this Offer to Purchase shall be null and void and the deposit shall be returned by the Vendor to the Purchaser without interest and the Vendor shall not be liable for any damages or costs; and,

(v) As the above-noted condition is for the benefit of the Purchaser, the Purchaser may at any time prior to the closing date, at its option, by written notice, waive the benefit of this condition and proceed to close the transaction without having obtained said re-zoning; and,

(c) That the required deposit cheque in the amount of $4,000 be held by the City Treasurer pending Council approval; and,

(d) That it is understood and agreed that the Vendor upon completion of this transaction will pay a real estate commission on the basis of 5% of the purchase price to Homelife State Realty Ltd., whose agent Agostino Ammendolia acted in this matter; and,

(e) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) an appraisal of the fair market value of the real property intended to be sold was received on 1998 March 24.

11. That the Memorandum of Agreement between the Corporation of the City of Hamilton and the I.O.U.E. Local 772, entitled "Final Offer", covering the period 1997 August 1 to 1999 July 31, be approved and implemented.

12. (a) That the Chief Administrative Officer and the Commissioner of Public Works and Traffic proceed with the elimination of 9 positions in the Public Works and Traffic Department, in accordance with the parameters in the City of Hamilton's Severance Policy; and,

(b) That the Chief Administrative Officer and the Commissioner of Public Works and Traffic be authorized to approve related expenditures for entitlements and for severance payments and bridging, as governed by the severance policy of the City in the estimated amount of $1,285,000.; and,

(c) That funding recommendations for costs related to corporate restructuring in 1998 be brought forward to Committee and Council as part of the 1998 Current Budget deliberations.

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. - 13.

NAYS: Aldermen Kiss, Copps, D'Amico. -3. **CARRIED.**

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-20 A By-law to Amend By-law 94-185, The Property Standards By-law.

(b) D-21 A By-law to Repeal By-law No. 8131 respecting: The Parking Authority of the City of Hamilton.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Eisenberger, Anderson. -2. **CARRIED.**

(c) D-22 A By-law respecting: Smoking in Public Places and the Workplace. **TABLED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Caplan. -1. **CARRIED.**

(d) D-23 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 March 24

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1998 and respectfully recommends:

1. That the Bingo Lottery Licence of Hamilton Central Lions Youth Organization be suspended for one event, namely 1998 April 12.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

ALDERMAN F. EISENBERGER, CHAIRPERSON
CITY OF HAMILTON LICENSING COMMITTEE

Stella Glover, Secretary
1998 March 11

HAMILTON-SCOURGE STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Hamilton-Scourge Steering Committee presents its **FIRST** Report for 1998 and respectfully recommends:

1. (a) That any expressions of interest to dive including the use of manned submersibles, remotely operated vehicles or anchoring in the vicinity of the Hamilton and Scourge Sites other than for purposes required and authorized by the City of Hamilton to study and manage the site be declined; and,

   (b) That any requests received by the City by amateur or technical divers to dive or explore the Hamilton and Scourge Sites be received and applicants be advised of Council's position.

2. That the Director of Culture and Recreation be authorized to apply for funding for up to $1,890,000 from the Department of Canadian Heritage to proceed with the Hamilton Scourge Ghost Ships Millennium Project.

3. (a) That the City of Hamilton write to the Federal Department of Transport Canada requesting that the salvage provision of the Canada Shipping Act should not apply to heritage wrecks; and,

   (b) That heritage wrecks should be defined by the Province.

Respectfully Submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
HAMILTON-SCOURGE STEERING COMMITTEE

Tina Agnello, Acting Secretary
1998 March 31

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SEVENTH** Report for 1998 and respectfully recommends:

1. (a) That the City of Hamilton support in principle the Proposed Framework for Municipal Restructuring in Hamilton-Wentworth dated 1998 February 18th as prepared by the Administrative Structure and Best Practices Steering Committee; and,

   (b) That the incorporation of the new entity reflect the history and tradition of the City of Hamilton.

   Recorded vote.

   YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Morelli, Haining, Wilson, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

   NAYS: Aldermen Kiss, Copps, Eisenberger. -3. **CARRIED.**

2. That the Best Practices Steering Committee meet with the representatives of the City and Regional employee groups, prior to the presentation of the Collaborative Agreement Principles and Direction Proposed Framework Document being presented to Regional Council for approval.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 March 31

URBAN/MUNICIPAL
CA4ON HBL A05
M21
1998

Minutes of Committee of the Whole\City Council
Thursday, 1998 April 9
11:00 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL
APR 22 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Alderman G. Copps - Civic Business

Mayor Morrow called the meeting to order.

* * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, and the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - TENTH REPORT

205 Cannon Street East
231 Gage Avenue North

Rule No. 9 Re: 231 Gage Avenue North

It was moved by Alderman Wilson and seconded by Alderman Charters that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting the awarding of a tender for the disposal of the balance of combustible contents removed from 231 Gage Avenue North by the Hamilton Fire Department. **CARRIED.**

* * * * * * * *

Section 2 Re: 231 Gage Avenue North

It was moved by Alderman Wilson and seconded by Alderman Charters that the following be added as sub-section (b) of Section 2 of the Tenth Report for 1998 of the Finance and Administration Committee as follows:

(b) That, in accordance with tender C8-298, a purchase order be issued to Team - 1 Environmental Services Inc., as the lowest bidder, in an amount not to exceed $72,000 (the exact cost is dependant on the quantity of materials removed), representing the cost of disposal of the balance of the combustible contents removed from 231 Gage Avenue North by the Hamilton Fire Department. **CARRIED.**

COMMITTEE OF THE WHOLE - EIGHTH REPORT

Tax Incremental Financing

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

* * * * * * * * * * * *

City Council then adjourned at 3:30 o'clock p.m.

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Taken as read and approved.

MAYOR R. MORROW

J. J. Schatz
1998 April 9
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **EIGHTH** Report for 1998 and respectfully recommends:

1. That the C.A.O. and Treasurer meet with the Regional C.A.O., Treasurer and Director of Economic Development and report back with a proposal/request to be presented to the Provincial Government, to amend the Municipal Act with respect to tax incremental financing for the downtown area.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 April 9

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1998 and respectfully recommends:

1. (a) That the Corporation of the City of Hamilton be authorized to secure the vacant building located at 205 Cannon Street East as authorized by an Ontario Court (Provincial Division) Order issued on 1998 March 19; and,

   (b) That the upset limit of $8,000 as the cost to secure the building located at 205 Cannon Street East be charged to a new account CH 57309 48001 Structural Inspections of the Fire Department's Budget, and funded by any Fire Department surplus in 1998; and,

   (c) That to the extent there is not a surplus within the Fire Department Budget, the Treasurer report back as to a method of financing of the above noted costs.

2. (a) That, in accordance with Request for Proposal C8-198, approval be given to sell to Marco Coccia as the highest bidder for approximately 72 skids of posters, for a total price of $2,001, representing a portion of the combustible materials removed from 231 Gage Avenue North by the Hamilton Fire Department.

   (b) That, in accordance with tender C8-298, a purchase order be issued to Team - 1 Environmental Services Inc., as the lowest bidder, in an amount not to exceed $72,000 (the exact cost is dependant on the quantity of materials removed), representing the cost of disposal of the balance of the combustible contents removed from 231 Gage Avenue North by the Hamilton Fire Department. **ADDED.**

3. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-024 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 April 9

Minutes of Hamilton City Council
Tuesday, 1998 April 14
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor R. Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was sung.

* * * * * * * * * * * *

Reverend Bob Sim, New Westminster Presbyterian Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow recognized Cathedral High School Senior Boys' Basketball Team who won the OFSAA Gold Medal on March 13, 1998.

* * * * * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Tony Ieluzzi.

* * * * * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Adam Stelmaszynski.

ADOPTION OF MINUTES

The minutes of the meeting held March 31, 1998 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1998 April 2 from Valery Construction Company Limited c/o Ted Valeri, 2140 King Street East, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District Modified for Block "1", from "AA" (Agricultural) District to "D" (One and Two Family Townhouses) District Modified for Block "2", from "AA" (Agricultural) District to "RT-30" (Street Townhouses) District for Block "3" and from "AA" Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District Modified for Block "4" for lands located at 695 West 5th Street, Hamilton and for 10 lots for small lot single family dwellings (Lots 2-10 inclusive), 10 lots for semi-detached dwellings (Lots 1 and 11-19 inclusive), 4 blocks for street townhouses (Blocks 20-23, inclusive), 1 block for open space (Block 24) and to establish a street (Street "A").

   Received.

2. Letter dated 1998 April 8 from J. J. Schatz, City Clerk advising of an objection to By-law No. 98-091 respecting property at 1126 Garth Street, Hamilton, Ontario.

   Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT

PARKS AND RECREATION COMMITTEE - FIFTH REPORT

Section 1 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Copps, Jackson. -2.

CARRIED.

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Section 2 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

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Section 3 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

Section 4 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - SEVENTH REPORT

Section 7 (i) (j) and (k) Re: Bills Respecting 135 Fennell Avenue West

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 7 (i) (j) and (k) of the Seventh Report for 1998 of the Planning and Development Committee be referred back.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - ELEVENTH REPORT

Section 1 Re: Purchase Order - G. C. Duke Equipment Ltd.

It was moved by Alderman Anderson and seconded by Alderman Kelly that Section 1 of the Eleventh Report for 1998 of the Finance and Administration Committee be referred back.

CARRIED.

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Section 2 Re: Canadian Auto Industry resolution

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Jackson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Morelli, Charters, Anderson, D'Amico. -4. **CARRIED.**

* * * * * * * * * * * * * * * *

Section 7 Re: 177 Sherman Avenue North be declared surplus

It was moved by Alderman Haining and seconded by Alderman Charters that Section 7 of the Eleventh Report for 1998 of the Finance and Administration Committee be referred back. **CARRIED.**

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Section 8 Re: Reorganization - City Clerk's Department

It was moved by Alderman Copps and seconded by Alderman Kiss that Section 8 of the Eleventh Report for 1998 of the Finance and Administration Committee be referred back. **LOST.**

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Section 9(c) Re: Reorganization - Building Department - Licence Clerk

It was moved by Alderman Jackson and seconded by Alderman Wilson that sub-section (c) of Section 9 of the Eleventh Report for 1998 of the Finance and Administration Committee be amended to delete the words "effective 1998 September 15" in the third line. **CARRIED.**

COMMITTEE OF THE WHOLE - NINTH REPORT

It was moved by Alderman Caplan and seconded by Alderman Eisenberger that Section 1(b) of the NINTH Report of the Committee of the Whole be amended by adding Sub-section (iv) as follows:

> "That the Page 2 of the Agreement be amended by adding the words "exclusive of weekends" in Section 2 (a), following the words "7:00 a.m. and 5:00 p.m." **CARRIED.**

Recorded vote on section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Eisenberger, Collins, Anderson. -5. **CARRIED.**

NOTICE OF MOTION

It was moved by Alderman Jackson and seconded by Alderman Charters that:

WHEREAS; over 179,000 persons have died in traffic collisions in Canada since 1950; and

WHEREAS; it is estimated that 85% of motor vehicle collisions are caused by driver error; and

WHEREAS; speeding and other moving violations, particularly intersection related violations have been identified as factors in many of these preventable collisions; and

WHEREAS; the reduction of speeding and intersection related moving violations could contribute significantly to the reduction of motor vehicle collisions and the severity of collisions in Ontario; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar have been successfully used in many jurisdictions; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar in Ontario could reduce the number of needless deaths and injuries occurring as a result of collisions on our roadways and reduce the associated costs to society;

THEREFORE BE IT RESOLVED, that Hamilton City Council supports the use of electronic enforcement tools and urges the Provincial Government of Ontario to facilitate the acquisition and use of these tools by police in Ontario in an effort to increase traffic safety, specifically requesting that Hamilton be considered as a pilot project for the use of this equipment by the Hamilton-Wentworth Police Services.

Re: Notice of Motion - Amendment

It was moved by Alderman Jackson and seconded by Alderman Charters that the Motion respecting Photo Radar/Intersection Cameras Electronic Enforcement Tools be amended to add the following:

"CIRCULATE THIS MOTION to the Hamilton-Wentworth area M.P.P.'s, and petition the Premier of Ontario, Mike Harris, and the Solicitor General, Bob Runciman."

CARRIED.

Motion as amended:

WHEREAS; over 179,000 persons have died in traffic collisions in Canada since 1950; and

WHEREAS; it is estimated that 85% of motor vehicle collisions are caused by driver error; and

WHEREAS; speeding and other moving violations, particularly intersection related violations have been identified as factors in many of these preventable collisions; and

WHEREAS; the reduction of speeding and intersection related moving violations could contribute significantly to the reduction of motor vehicle collisions and the severity of collisions in Ontario; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar have been successfully used in many jurisdictions; and

WHEREAS; the use of electronic enforcement tools such as red light cameras and photo radar in Ontario could reduce the number of needless deaths and injuries occurring as a result of collisions on our roadways and reduce the associated costs to society;

THEREFORE BE IT RESOLVED, that Hamilton City Council supports the use of electronic enforcement tools and urges the Provincial Government of Ontario to facilitate the acquisition and use of these tools by police in Ontario in an effort to increase traffic safety, specifically requesting that Hamilton be considered as a pilot project for the use of this equipment by the Hamilton-Wentworth Police Services; and

CIRCULATE THIS MOTION to the Hamilton-Wentworth area M.P.P.'s, and petition the Premier of Ontario, Mike Harris, and the Solicitor General, Bob Runciman. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Committee of the Whole, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:35 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 April 14
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1998 and respectfully recommends:

1. That the by-law to sell portions of closed alley adjacent to:

57 East 19th Street	Part 10 Plan 62R-13947
61 East 19th Street	Part 9 Plan 62R-13947
65 East 19th Street	Part 8 Plan 62R-13947
69 East 19th Street	Part 7 Plan 62R-13947
71 East 19th Street	Part 6 Plan 62R-13947
73 East 19th Street	Parts 4 & 5 Plan 62R-13947
75 East 19th Street	Part 3 Plan 62R-13947
376 Upper Wentworth Street	Part 11 Plan 62R-13947
380 Upper Wentworth Street	Part 12 Plan 62R-13947
388 Upper Wentworth Street	Part 13 Plan 62R-13947
392 Upper Wentworth Street	Part 14 Plan 62R-13947
394 Upper Wentworth Street	Part 15 Plan 62R-13947
396 Upper Wentworth Street	Part 16 Plan 62R-13947
398 Upper Wentworth Street	Part 17 Plan 62R-13947
400 Upper Wentworth Street	Parts 1 & 18 Plan 62R-13947
402 Upper Wentworth Street	Part 2 Plan 62R-13947

be prepared to the satisfaction of the City Solicitor and be enacted by City Council.

2. (a) That City Council enact the by-law to alter the roadway of Ferguson Avenue North between King Street East and King William Street by narrowing the pavement from the existing width which varies from 13.7 metres to 14.2 metres to a width of 6.25 metres; and,

(b) That southbound traffic flow on Ferguson Avenue North between King Street East and King William Street be restricted to bicycles; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

3 That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Columbia Drive commencing at a point 60 feet south of the south curb line of Bendamere Avenue and extending 188 feet southerly be extended a further 154 feet southerly, and that the City Traffic By-law No. 89-72 be amended accordingly.

4. (a) That a "Permit Parking" regulation be implemented on the south side of Somerset Avenue commencing at a point 334 feet west of Barnesdale Avenue North and extending to a point 18 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Olive Contardi, No. 32 Somerset Avenue.

5. That the existing "Permit Parking" regulation on the north side of Gertrude Street commencing at a point 36 feet west of Rowanwood Street and extending to a point 18 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

6. That the existing "Permit Parking" regulation on the south side of Francis Street commencing at a point 145 feet west of Douglas Street and extending to a point 20 feet westerly therefrom, and on the north side of Francis Street commencing at a point 68 feet west of Douglas Street and extending to a point 20 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

7. That the existing "No Stopping" corner clearance on the north side of Harrison Avenue commencing at Harmony Avenue and extending to a point 109 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

8. That a "No Parking" regulation be implemented on the south side of Sanatorium Road commencing at Garth Street and extending to a point 110 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

9. That the existing "No Parking" regulation on the west side of Caroga Court between Bonaventure Drive and the southerly end be removed and a "No Parking" regulation be implemented on the east side of Caroga Court between Bonaventure Drive and the southerly end, and that the City Traffic By-law No. 89-72 be amended accordingly.

10. That the existing "Permit Parking" regulation on the east side of Douglas Street between Keith Street and the T.H. & B. Tracks be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

11. (a) That a "Permit Parking" regulation be implemented on the south side of Paul Street commencing at a point 36 feet west of Southview Place and extending to a point 22 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Goodman, No. 2 Southview Place.

12. That a "No Parking" regulation be implemented on the east side of Corsica Court (including the bulb) commencing at Bonaparte Way and extending to the south property line of No. 10 Corsica Court, and that the City Traffic By-law No. 89-72 be amended accordingly.

13. That a "No Parking, 7:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the west side of Caroline Street North commencing at a point 24 feet south of Windsor Street and extending to a point 17 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

14. That the existing "One Hour Parking Time Limit, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the north side of Beach Road commencing Northcote Street and extending to a point 120 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

15. That westbound traffic on Blanshard Street be required to stop for northbound and southbound traffic on Poulette Street, and that the City Traffic By-law No. 89-72 be amended accordingly.

16. That eastbound traffic on Falconridge Drive be required to stop for northbound and southbound traffic on Upper Paradise Road, and that the City Traffic By-law No. 89-72 be amended accordingly.

17. That westbound traffic on Fieldway Drive be required to stop for northbound and southbound traffic on Cardinal Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.

18. That westbound traffic on Avalon Place be required to stop for northbound and southbound traffic on Arthur Avenue South and that the City Traffic By-law No. 89-72 be amended accordingly.

19. That southbound traffic on Uplands Avenue be required to stop for eastbound and westbound traffic on Norwood Road, and that the City Traffic By-law No. 89-72 be amended accordingly.

20. That northbound traffic on Cellini Avenue be required to stop for eastbound and westbound traffic on Bolzano Drive and that the City Traffic By-law No. 89-72 be amended accordingly.

21. That eastbound traffic on both Townmansion Drive and Racalmuto Street be required to stop for northbound and southbound traffic on Upper Kenilworth Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.

22. That the existing eastbound and westbound stop signs at the intersection of Alconbury Drive and Rexford Drive be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

23. (a) That the existing residential boulevard parking agreement registered as Instrument No. 20467CD to the property at No. 27 Edward Street, be amended at the property owner's expense; and,

(b) That the City Solicitor be authorized and directed to process the documents in relation to the amendment and registration of this agreement.

24. (a) That the existing residential boulevard parking agreement registered as Instrument No. VM221466 to the property at No. 20 Hunt Street be amended at the City's expense; and,

(b) That the City Solicitor be authorized and directed to process the documents in relation to the amendment of this agreement.

25. (a) That the following Hamilton Street Railway bus stop be relocated:

Route No. 27 Upper James

Delete - Southbound Garth Street, west side, 115 feet north of the centre line of Rymal Road West (N/S); and,

Add - Southbound Garth Street, west side, 116 feet south of the centre line of Rymal Road West (F/S); and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

26. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Albright Road commencing at a point 379 feet west of the west curb line of Mount Albion Road and extending 25 feet westerly be replaced with a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation, and that the City Traffic By-law No. 89-72 be amended accordingly.

27. That in order to correct various inconsistencies created as a result of corporate restructuring, staff reductions and deployments, amendments to various provincial statutes and previous amendments to the City Traffic By-law having succeeding impact on associated regulations, approval be given for the required "housekeeping" amendments to the City of Hamilton Traffic By-law No. 89-72.

28. That the application of 1167829 Ontario Limited owners of No. 141 Catharine Street South, to establish and maintain landscaping measuring 4.50m x 28.0m, a key switch measuring 0.009m x 0.009m and two concrete curbs measuring 0.15m x 4.50m, onto the road allowance of Catharine Street South Avenue, be approved, subject to the following:

(a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

(c) That the applicant pay a first year fee $184 and a subsequent annual fee of $52.

29. For the information of City Council, the Transport and Environment Committee has appointed Ronald Volterman to the Keep Hamilton Clean Committee for a term to expire 1999 December 31.

30. (a) That a Purchase Order be issued to Premier Waste Systems Limited in the amount of $0.549 per apartment unit per month, plus G.S.T., for a five year term, being the lowest of six proposals received for the Collection of Compacted Garbage from Apartment Buildings in accordance with the specifications issued by the Purchasing Division, Treasury Department and the Vendor's proposal; and,

(b) That a contract be entered into satisfactory to the City Solicitor; and,

(c) That, subject to (b) above, the Contract start date be Monday, 1998 June 1; and,

(d) That this expenditure be financed through Garbage Collection Account No. CH56320 60301; and,

(e) That the estimated savings of $40,000 (including applicable taxes) be a component of the Departmental 1998 current budget reductions, recognizing a one year transition to achieve full savings; and,

(f) That it be recognized that this five (5) year contract contains an escalation clause that is tied to the Consumer Price Index (All Items, Not Seasonally Adjusted) and that small increases may be required annually in year 2000 and beyond.

31. (a) That the user fee for driveway approach ramp installations and repairs provided by the Public Works and Traffic Department be raised from the existing rate of $32.29 per square metre established in 1981 to $66 per square metre effective for all estimates given from 1998 April 15; and,

(b) That the increased user fee revenues be a component in the 1998 Departmental current budget reductions, recognizing a one year transition for project commitments previously given at the lower per square metre rate.

32. That a by-law be enacted to authorize the operation, management and regulation of Municipal Parking Facilities by the Department of Public Works and Traffic.

33. That the Commissioner of Transportation and the City Treasurer be authorized and directed to refund, where already paid, and to otherwise exempt all fees, except for the $50 registration fee, for active encroachments and outdoor patio cafe agreements within the downtown core of Hamilton bounded by Hunter Street, Cannon Street, Queen Street and Victoria Avenue whose applications are received between 1998 January 1 and 1999 September 1.

34. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-29 A By-law to Sell a Closed Portion of the Closed East/West Alley Lying South of No. 73 East 19th Street and the North/South Alley to the North Limit of No. 57 East 19th Street

(b) A-30 A By-law to Alter Ferguson Avenue North between King Street East and King William Street by Narrowing the Pavement

(c) A-31 A By-law Respecting the Construction, Maintenance, Operation, Management and Regulation of Municipal Parking Facilities

(d) A-32 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

(e) A-33 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

(f) A-34 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson
Secretary

1998 April 6th

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIFTH** Report for 1998 and respectfully recommends:

1. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 to sell alcoholic beverages, to bring animals in a park and to park vehicles in a park be given to the Regional Municipality of Hamilton-Wentworth to use Bayfront Park to host The Greater Hamilton Aquafest, 1998 July 16 to July 19 from 11:00 o'clock a.m. to 11:00 o'clock p.m. subject to the Standard Terms and Conditions of the Special Event Guidelines including:

   (a) That the Alcohol and Gaming Commission of Ontario be advised that the Kinsman Club will be applying for a Special Occasion Permit under community festival of municipal significance; and,

   (b) That Council authorize, on a one time basis, a variance to the Special Events Guidelines - Bayfront Park to permit the closure of Bayfront Park such that the event organizers have exclusive use of the park and to permit the organizers to charge admission to the Aquafest Events; and,

   (c) That the Public Boat Ramp launch be closed to the public from 1998 July 17 to July 19 inclusive to accommodate pedestrian safety and boat manoeuvring for the Hydroplane Regatta; and,

   (d) That the Director of Culture and Recreation be authorized to review and report back on the merits and proposed criteria for amending the Special Events Guidelines - Bayfront Park as it pertains to exclusive use for special events.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. - 15.

NAYS: Aldermen Copps, Jackson. -2. **CARRIED.**

2. That approval as required by Parks By-law No. 95-126, Section 11, to sell alcoholic beverages, be given to the Greater Hamilton Chinese Dragon Boat Race Society to use Bayfront Park to host the Annual Dragon Boat Races, 1998 July 11 from 12:00 o'clock noon to 8:00 o'clock p.m. subject to the Standard Terms and Conditions of the Special Event Guidelines including:

> That the Public Boat Ramp launch be closed to the public on 1998 July 11 from 8:00 o'clock a.m. to 5:00 o'clock p.m., to accommodate pedestrian safety and boat manoeuvring for the Dragon Boat Races.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

3. That approval as required by Parks By-law No. 95-126 as amended, Section 5, to host fireworks display, Section 11 - to sell alcoholic beverages and Section 29 - park vehicles in a park and Section 17 (1) and Section 26 of the Fireworks By-law No. 90-198, be given to CJXY FM, a division of WIC Communications (Y95.3 FM) on the occasion of the Y95 Summerfest in Bayfront Park, 1998 August 1, 12:00 o'clock noon to 11:00 o'clock p.m. and are subject to the Standard Terms and Conditions of the Special Events Guidelines.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

4. That approval as required by Parks By-law No. 95-126 as amended, Section 11, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations to allow the sale of alcohol in the locations and on the dates specified:

   (a) Gourley Park Community Association - Gourley Park (J. A. Macdonald School) 1998 July 4 and July 5; and,

(b) Hamilton Ladies Slo-Pitch Association -
Turner Park 1998 June 12, June 13 and June 14; and,

(c) Hamilton Wentworth Police Association -
Turner Park - 1998 July 10, July 11, and July 12; and,

(d) Wentworth Adult Mixed Slo-Pitch League -
Turner Park - 1998 May 29, May 30, May 31, and July 25, July 26.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

5. (a) That approval be given for delegates of the Arts Advisory Commission to attend the Community Arts Ontario Conference on 1998 May 2, at Hamilton, Ontario; and,

(b) That registration fees in an amount not to exceed $300 be drawn from Account No. CH55201 10010.

6. That the amount of $47,196 be paid to Brusantis Development Corporation to purchase that company's parkland credit balance of 1,591.65 square metres (0.3933 acres), provided that Brusantis Development Corporation execute a release in a form satisfactory to the City Solicitor, and the cost be charged to Account No. CH5X306 00201 (Reserve for Parklands).

7. (a) That the City of Hamilton enter into a Lease Renewal with the Hamilton Bay Sailing Club to lease space in the basement and compound of the Gartshore Thomson Building, Pier 4 Park; and,

(b) That the Lease Renewal contain the following terms and conditions:

(i) Term - Commences 1998 May 1 and terminates 2003 April 30; and,

(ii) Rent - $2,150 per year plus any applicable taxes; and,

(iii) That the Lessee will be permitted to asphalt the yard area within the fenced off portion of the property known as the boat storage area at the Lessee's expense and all work will be approved by the Commissioner of Public Works and Traffic prior to construction; and,

(iv) That the City in its sole discretion has the right to grant a five (5) year renewal at terms mutually agreed upon by both parties six (6) months prior to expiration;

(c) That rental proceeds be credited to Account No. CH44104 31106 (Civic Properties Rented); and,

(d) That the Mayor and City Clerk be authorized and directed to execute a Lease Renewal in a form satisfactory to the City Solicitor.

8. (a) That approval be given to the Director of the Department of Culture and Recreation to deaccession the objects from the Hamilton Military Museum whose accession numbers are listed on Appendix "A" attached hereto; and,

(b) That deaccessioned artifacts required by the Hamilton Military Museum be transferred to spare parts or educational programming; and,

(c) That any deaccessioned artifacts not required by the Hamilton Military Museum be transferred to the Museums listed on Appendix "A" attached hereto.

9. (a) That the new Rental Fee Policy for the multi-purpose space at the Hamilton Children's Museum attached hereto as Appendix "B", be approved; and,

(b) That the revisions to the room rental rates for the Coach House at Dundurn Castle attached hereto as Appendix "C", be approved.

10. (a) That the composition of the Hamilton Veterans Committee as adopted by City Council as Section 14 of the FIFTH Report of the Parks and Recreation Committee for 1996, be amended to read as follows:

That the Hamilton Veterans Committee consist of at least one Member of City Council; the current President of the United Council of Veterans; a Veteran elected at large by the United Council of Veterans; a current President of a recognized Hamilton Veterans Club as recommended by the Presidents and Secretaries Association; the past Chairman of the Hamilton Veterans Committee; and, one war

Veteran and one member (either a Veteran or a person from the Regular Forces) recommended by the Veterans holding the previously mentioned appointments.

(b) That the following members be appointed to the Hamilton Veterans Committee for a term to expire 2000 November 30:

Jack McFarland (Current President of the United Council of Veterans)

Bill Eisan (Veteran elected at large by the United Council of Veterans)

Frank Caldwell (Current President of a recognized Veterans Club as recommended by the Presidents and Secretaries Association)

Mike Roach (Past Chairman of the Hamilton Veterans Committee)

Lloyd Shephard (War Veteran recommended by the Hamilton Veterans Committee)

Tom Dean (Person from the Regular Forces recommended by the Hamilton Veterans Committee)

11. (a) That approval be granted to the Director of Culture and Recreation to enter into a contract in a form acceptable to the City Solicitor with Ham Sports Inc., owner Judy Ham, as the successful bidder, in response to a Request for Proposal issued through the Purchasing Department on 1998 February 27 and closed on 1998 March 18, for the supply, installation, service and maintenance of Arena Rink Board Advertising at the Mountain Arena, for a term approximating 34 months, at a guaranteed annual revenue of not less than $4,000 and commencing on the signing of this agreement; and,

(b) That approval be granted to the Director of Culture and Recreation to enter into a contract in a form acceptable to the City Solicitor, with Boardview Advertising Inc., Jory Sigesmund, as the successful bidder, in response to a Request for Proposal issued through the Purchasing Department on 1998 February 27 and closed on 1998 March 18, for the supply, installation, service and maintenance of Arena Rink Board Advertising at Coronation, Eastwood, Parkdale, Scott Park, Rosedale, Inch Park and Lawfield Arenas for a term approximating 34 months at a guaranteed annual revenue of not less than $2,000 and commencing on the signing of this agreement.

12. (a) That the Director of Culture and Recreation be authorized to enter into negotiations with officials from the Hamilton District School Board and the other suburban municipalities of the Regional Municipality of Hamilton-Wentworth for the purposes of preparing joint use agreements based on common principles and approaches for the use of School and Community facilities for community sport and recreation purposes; and,

(b) That the Director of Culture and Recreation be directed to report back on progress of negotiations on a timely basis.

13. That the revised "Tournament Discount Policy" attached hereto as Appendix "D" be approved and implemented for the 1998 season and beyond at the Hamilton Civic Golf Courses.

14. That approval as required by Parks By-law No. 95-126 as amended, Section 29, to park vehicles in a park; Section 35, to bring horses in a park; and Section 36, to bring dogs into a park, be given to the following organizations, subject to the Special Events Standard Terms and Conditions:

(a) The Corporation of the City of Hamilton
Hamilton Children's Museum Building Expansion Opening - Gage Park, 1998 April 18 (Horse and wagon rides); and,

(b) Kirkendall Neighbourhood Association - HAAA Grounds, Fundraising Event, 1998 May 23 (Canine Unit Display from Hamilton Wentworth Regional Police)

15. (a) That the actions of the Director of Culture and Recreation in the preparation and submission of two grant applications to the Department of Canadian Heritage to fund a children and youth development project in the Riverdale Community and to begin investigations towards the development of a cultural tourism project involving the bicentennial of the War of 1812 be endorsed on the basis that no City funds are required to finance these projects; and,

(b) That the Treasurer be authorized to set up the appropriate accounts to receive funds and process expenditures.

16. (a) That the daily responsibilities for maintenance of lawn areas, ornamental beds, garden plots, minor repairs be transferred to the Executive Board of Friends of the Aviary on a trial basis for 1998 summer season; and,

(b) That funds be transferred from the Department of Public Works and Traffic, Parks Division Operating Budget Account No. CH5140162110 to the Friends of the Aviary to be used to retain their own staff during the trial period; and,

(c) That the proposed program as outlined in the attached Appendix "E" be evaluated at the conclusion of 1998 by the Friends of the Aviary, Public Works and Traffic, Parks Staff for the purpose of recommending a 1998 maintenance strategy for consideration of the Parks and Recreation Committee; and,

(d) That the City Treasurer be authorized to transfer an amount totalling $6,000 to the Friends of the Aviary, one instalment payable on 1998 April 15.

17. (a) That the Durand Neighbourhood Association be permitted to install a commemorative monument in the south-east corner of Durand Park using the architectural remnants of the St. Paul's Presbyterian Church spire, salvaged from the 1944 earthquake and now in the City's possession; and,

(b) That the Commissioner of Public Works and Traffic be authorized to approve wording of the plaque to be installed with the proposed monument.

18. That the Canadian Merchant Navy Veterans Association be permitted to install a plaque in Sam Lawrence Park dedicated to those who served in the World Wars and the Korean conflict, using an area north of the west parking lot.

19. (a) That the "Report on the City of Hamilton's Natural Heritage Project", available in the office of the Commissioner of Public Works and Traffic, be received by City Council; and,

(b) That the findings and recommendation contained in this report be used to guide landscape restoration/site remediation at locations included in the project.

20. That the Mayor and the City Clerk be authorized to sign a Location Agreement, in a form satisfactory to the City Solicitor, permitting "Three Miles Apart Productions Ltd." to film a scene in Hamilton Cemetery.

21. (a) That the City of Hamilton expand its cremation services; and,

(b) That the City of Hamilton pursue its own crematorium/visitation centre; and,

(c) That the Manager of Cemeteries be authorized and directed to issue a Request for Proposal for a Public-Private Partnership resulting in the construction and operation of a crematorium/visitation centre; and,

(d) That the Manager of Cemeteries form a Selection Committee with representation from the Law, Treasury and City Clerk's Departments for the purpose of finalizing selection criteria including but not limited to design, size, location, experience, financial stability, demographic studies, marketing plans, revenue sharing, duration of agreements and plan of operation.

22. That the City's purchase of HRCA lands on Hamilton Beach, approved by City Council on 1997 December 11 by adoption of Section 2 of the First Report of the Committee of the Whole, be amended as follows:

(a) That recommendations (a), (b)(ii) and (e) be amended to reflect a reduction in the net purchase price from $1,056,589 to $1,018,685.90; and,

(b) That recommendation (b)(i) be amended by deleting reference to post-sale adjustments as follows:

"That the City agrees to acquire the lands listed in Schedule 'A' attached and marked Appendix 'A' comprising approximately 10.32 hectares 'as is' both as to quality and area"; and,

(c) That recommendation (b)(xii) be added as follows:

"That the City agrees to pay its 45% share of the selling costs to the HRCA. These selling costs are payable only upon receipt of documentation from HRCA satisfactory to the City Solicitor and in any event an amount not to exceed $37,200."

23. (a) That an Offer to Purchase the property at No. 563 Aberdeen Avenue for the price of $76,000, executed by M. Alksnis, dated 1998 March 25, be accepted. The said land has an area of 459.7 square metres (4,948.3 square feet) more or less, being Parts 1 and 2 on Plan 62R-14339, said transaction scheduled to close on 1998 May 15. Funds derived from this sale be credited to the "Reserve for Hamilton Civic Golf Course Improvement" Account; and,

(b) That the required deposit cheque in the amount of $7,600 be held by the City Treasurer pending Council approval; and,

(c) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(i) satisfactory notice has been given to the public of the intended sale; and,

(ii) an appraisal of the fair market value of the real property intended to be sold was obtained on 1998 March 16.

Respectfully Submitted,

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1998 April 6th

Appendix "A" as referred to in Section 8 of the Fifth Report of the Parks and Recreation Committee for 1998

Army and Air Force uniforms and accessories to be transferred to the Canadian Military Heritage Museum Policy, Post 1952 unless otherwise indicated:

82.119.1	Mess dress jacket & vest, 2Lt, pre-1952
83.174.1-2	Battledress blouse & trousers, Army Cadets
83.210.20	Summer issue officer's jacket, Capt. Irish Regiment, World War II
85.278.5	Greatcoat, 2Lt. Canadian Officers' Training Corps
85.285.11-13	Summer tunic, belt and trousers, Brigadier
.14-17	White cotton jacket with shoulder boards & trousers, no insignia
.18	White cotton mess jacket, no insignia
.19-21	Service dress jacket, belt & trousers, general officer post 1952
.23-24	Battledress blouse & trousers, Captain Royal Canadian Regiment
.25-26	Battledress blouse & trousers, Sgt. Ordnance Corps
85.334.7	Service dress, Scots Greys, no insignia, World War II
86.336.1-2	Summer tunic & lanyard, Major RCDC
.3-5	Battledress blouse, lanyard & trousers, Major Dental Corps
.6, 8-9	Service dress tunic, trousers & forage cap, Col. Dental Corps
.10, 12	Dress blue tunic with boards, Dental Corps and waist sash
.14-17	Mess dress jacket, vest, trousers & dress forage cap, Col. Dental Crops
.20	Mess dress overalls, pre World War II
.24-26	Battledress blouse,lanyard & trousers, Sgt. Ordnance Corps
.27-29	Dress blue tunic, trousers & forage cap, Service Corps
87.347.11-12	Tunic & trousers, Cpl Service Battalion
88.382.1	Khaki tunic, no insignia
89.401.1-2, 4	Battledress blouse, lanyard & trousers, Capt. Princess Louise's Fusiliers
.6-7	Service dress tunic & trousers, Princess Louise's Fusiliers
89.418.1-3	Green tunic, trousers & beret, Major, Canadian Forces
90.431.18	Battledress jacket, RCAF Sergeant, World War II

Swagger sticks:	77.214.1, World War II
	77.429.24, World War II English
	77.429.26, World War I
	79.682.1, English World War II

Sam Browne belts:	77.157.17-18, World War I no strap
	78.488.3, World War I no D rings
	79.516.7, World War I no strap
	79.772.3, strap only

Other:

76.104.5	Forage cap, no badge, World War II
77.176.2	Khaki forage cap, officer, World War II
78.459.4	Forage cap, Engineers, World War I
82.119.2	Black bow tie
82.123.6-10	Epaulettes
82.133.2	Cork helmet, no plate or finial
83.174.3	Shirt
83.174.4-6	3 ties
83.174.7-9	3 pair boots
85.285.22	Khaki brassard, no insignia
86.153.3-4, 7	Shirts
86.153.5-6	Ties
86.336.18-19	Pre-World War II mess dress jacket & vest
86.336.47	Khaki shirt
89.411.3	Nursing Sisters beret
94.9.14	Blue veterans' tam, 58th Battalion

Canadian Navy uniforms and accessories, to be offered to the HMCS Star Museum, and if declined then offered to the Canadian Military Heritage Museum:

82.155.11, 14	White mess jacket and trousers, L/Cdr
83.189.8-9	Jacket & trousers, L/Cdr, World War II
84.257.3-4	2 summer tunics, Sub-Lt., no shoulder boards
86.315.7-8	Summer tunic and trouser, W.O.

Deaccession and transfer to the Royal Hamilton Light Infantry Heritage Museum:

76.147.4	Double Sam Browne, World War I no strap

Deaccession and transfer internally to Dundurn Castle educational programming:

86.321.19	Scottish tam (non-military item)

Appendix "B" as referred to in Section 9 of the Fifth Report of the Parks and Recreation Committee for 1998

THE HAMILTON CHILDREN'S MUSEUM MULTI-PURPOSE ROOM RENTAL POLICY

The rental policy is in place to establish, in priority, the individual(s) or group(s) who has first option for rental; to establish rental rates and any applicable rental subsidies for eligible individual(s) or group(s); and to define deposit and refund criteria.

ROOM RENTAL PRIORITY:

- Museum Programming (including Friends of the Hamilton Children's Museum)
- Private children's functions e.g. birthday parties
- For profit individuals, business, and corporations
- Not-for-profit groups and registered charitable organizations
- Other

ROOM CAPACITY:

40 people

ROOM RENTAL RATES:

Preamble:

- Rental rates are available during museum hours only. Rental rates do not include museum admission. Fee includes free parking, and the use of tables, chairs, coffee urn, sink, and refrigerator. The client is responsible for setting up for function and tidying the room afterwards.
- Prepared food can be brought into the facility however food preparation cannot be accommodated on site.

Room Rental Rates:

- Private children's functions e.g. birthday party - 1.5 hours
  Saturdays 11 a.m. to 12:30 p.m. and 1:30 p.m. to 3:00 p.m.
  Room rental $50.00 ($46.73 + 3.27 GST)

• For profit individuals, businesses, corporations and "for profit" activities (excluding the Friends of the Hamilton Children's Museum)
Half Day (1 to 3 hours) $75.00 ($70.09 + 4.91 GST)
Full Day (3 to 7 hours) $125.00 ($116.83 + 8.17 GST)

• Not for profit groups and registered charitable organizations
Half day (1 to 3 hours) $37.50 ($35.05 + 2.45 GST)
Full day (3 to 7 hours) $62.50 ($58.41 + 4.09 GST)

MULTI-PURPOSE ROOM RENTAL SUBSIDY POLICY

100% SUBSIDY: The following individuals and groups will receive 100% subsidy for room rental:

- Museum programming (e.g. school tours and programmes)
- Community groups (e.g. Beavers, Sparks who use the multi-purpose room for museum programming)
- Museum based partnerships (e.g. Friends of the Hamilton Children's Museum)
- Divisional and departmental meetings
- Hamilton Historical Board
- Corporation of the City of Hamilton (committees and sub-committees)

50% SUBSIDY:

The following individuals and groups will receive 50% subsidy for room rental:

- Community groups (e.g. Beavers, Sparks, etc. who use the room for non-museum programming activities)
- Not-for-profit and registered charitable organizations
- Other museums and arts organizations (non-divisional)

0% SUBSIDY: The following individuals and groups will receive 0% subsidy for room rental:

- For profit individuals, businesses and corporations
- Any not-for-profit organizations using the facility "for profit" activities (excluding the Friends of the Hamilton Children's Museum)

REFUND POLICY

1. Full refund if function is cancelled thirty (30) days from date of function.

2. 50% refund if function is cancelled fifteen to twenty-nine (15-29) days from date of function.

3. 25% refund if function is cancelled six to fourteen (6-14) days prior to function.

4. No refund if function is cancelled on the day of the function or up to six days (6) prior to the function. **Please note: Museum admission cancellation fee is separate from this Policy.**

DEPOSIT POLICY

1. A deposit of 50% of the projected rental cost is required at the time of booking or sixty (60) days (whichever is less) prior to the function.

1998 March

RENTAL OF MULTI-PURPOSE ROOM TERMS AND CONDITIONS

Application for use of the multi-purpose room must be completed on form provided.

The time and date requested, and noted on the permit, must include the time required for set-up and clean-up. The applicant must adhere to the times that they have reserved.

Tables, chairs and a refrigerator are provided. Any other equipment desired is the responsibility of the applicant.

The setting up and putting away of equipment is the responsibility of the applicant and the multi-purpose room must be left in a clean manner.

Any costs incurred as a result of damage to the facility or its equipment during permitted time must be assumed by the applicant.

PLEASE DO NOT APPLY TAPE TO WALLS OR TRIM (ask museum staff for material to adhere decorations to walls and trim).

This is a non-smoking facility. No alcoholic beverages are permitted on the premises.

Other:_____

_____

_____

_____

_____
Name of Organization / and/or Person(s) in Charge

Address:_____

Phone #:_____ Date:_____

We look forward to your visit to the Hamilton Children's Museum!

Appendix "C" as referred
to in Section 9 of the
Fifth Report of
the Parks and Recreation
Committee for 1998

COACH HOUSE ROOM RENTAL RATE INCREASES

	1/2 DAY		FULL DAY	
ROOM	**CURRENT**	**PROPOSED**	**CURRENT**	**PROPOSED**
Hayloft	$150.	$175. (16.6%increase)	$275.	$275.
Groom's Quarters	$ 75.	$75.	$125.	$125.
Restaurant	$100.	$150.(50% increase)	$150.	$200.(33% increase
Cockpit	$100.	$150.(50% increase)	$175.	$200.(14% increase)

1998 March

Appendix "D" as referred
to in Section 13 of the
Fifth Report of the
Parks and Recreation
Committee for 1998

DEPARTMENT OF CULTURE AND RECREATION
POLICY TO ADMINISTER PRICE DISCOUNTING FOR TOURNAMENT PLAY
HAMILTON CIVIC GOLF COURSES

PURPOSE OF THE POLICY:

The purpose of this policy is to provide direction to staff in the administration of price discounting for tournaments at Hamilton Civic Golf Courses.

The price discounting is made available for events whose primary purpose is to generate funds for charitable purposes within the City of Hamilton.

This policy replaces the existing section of the "Policy to Administer Culture and Recreation Department Facility Use Passes" approved by Council on 1995, July 11. The remaining elements of this policy remain in force and effect.

A. PRICE DISCOUNTS FOR CHARITABLE EVENTS/LARGE CONVENTIONS:

Discounts for play on Hamilton's Civic Golf Courses be granted on the basis of buy three (3) green fees and receive the fourth (4th) green fee free.

This discounting will be granted to Hamilton-based registered charitable organizations and not for profit community organizations when the event is for the sole purpose of raising funds to support the activities of the organization. As well, discounting will be offered as part of the convention packages in coordination with Economic Development

Tournaments will normally be scheduled at a time that will not hamper access to the courses during peak operating periods. This time frame will normally be within the hours of 11:00 a.m. and 4:00 p.m. on weekdays.

PROCEDURES:

1. All requests for discounts must be made in writing and received by the Director of Culture and Recreation no less than 60 days prior to the date of the proposed event

2. Applicants must state the purpose of the charitable event and whom will be the beneficiaries of the proceeds of the event.

3. Applicants should state the preferred date for the event as well as alternate date.

4. The Director of Culture and Recreation reserves the right to schedule charitable golf tournaments at his sole discretion but will ensure all reasonable efforts to accommodate
requests in a manner that will not disrupt access to the course by members and green fee players.

B. COMPLIMENTARY PASSES FOR MEMBERS OF GOLF EXECUTIVES:

Annual membership passes will be provided to the duly elected Presidents and one other member of the executive of the men's and women's sections of each golf course memberships.

C. COMPLIMENTARY GOLF PRIVILEGES:

Complimentary golf privileges will be granted on a limited basis and at the discretion of the Director or designate for on-site employees (greens staff, pro shop, and concessions) outside working hours with access to the courses limited to times other than weekends and holidays.

Press, visiting Golf Superintendents and visiting Professionals may golf free of charge upon presentation of credentials and advance notice.

D. EXECUPASSES:

Execupasses will be honoured at both courses provided the standard form at each course is completed by the pass holder.

An Execupass will be issued for the Manager of Outdoor Sports Facilities in his capacity as line manager responsible for golf course operations.

E. ISSUANCE OF FREE PASSES:

The Director of Culture and Recreation, at his/her discretion, may provide free passes as part of a marketing strategy to enhance the visibility of the Civic Courses or entice additional membership, greens fee or tournament play.

Appendix "E" as referred to in Section 16 of the Fifth Report of the Parks and Recreation Committee for 1998

CITY OF HAMILTON
CHURCHILL PARK AVIARY AND COMMUNITY GARDENS PILOT
MAINTENANCE PROGRAM FOR 1998

FRIENDS OF THE AVIARY RESPONSIBILITIES:

- employ, supervise and otherwise be responsible for personnel necessary to maintain hours of operation 8:00 a.m. to 8:00 p.m. daily from May 1, 1998 to October 15, 1998;
- opening and locking of gates daily following the abovenoted schedule
- cutting and trimming all lawn areas within the perimeter hedge and fence lines in accordance with City specifications.
- planting and maintenance of ornamental beds;
- A pre-season roto-tilling of garden plots areas not accessible by City operation equipment.

CITY OF HAMILTON RESPONSIBILITIES:

- training of Friends of the Aviary grounds maintenance staff in the operation and maintenance of equipment and specified horticultural practices
- pre and post season roto-tilling of main garden plot areas
- supply flowers
- supply sprinklers and hoses for irrigation
- supply small tools (gardening)
- supply lawnmower, weedeater, rototiller and assume responsibility and costs to ensure the equipment is maintained in good working order
- ensure fuel is available for use in supplied equipment
- monitor the turf/garden areas and offer advice on mowing, irrigation practices

The proposed program would be evaluated at the end of the 1998 season by the City of Hamilton, Manager of Parks and Executive members of the Friends of the Aviary to confirm the merits of the program and determine any changes in funding allocation and/or responsibilities affecting either party for 1999.

Funding allowance for Friends of the Aviary:

Total Transfer: $6,000.

TERM OF PROGRAM:

1998 season, subject to program evaluation during and at the end of the pilot term.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1998 and respectfully recommends:

1. That approval be given to amended Zoning Application 98-03, 1215443 Ontario Inc. (Ontario Pride Construction/Michael Bobiash), owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette - Holding) District modified, to permit the construction of 13 townhouse units and 2 semi-detached units, for the property located at No. 243 Fennell Avenue East, shown as Blocks 1 and 2 on the attached map marked as Appendix "A", on the following basis:

   (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette - Holding) District modified; and,

   (b) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 1, be modified to include the following variances as special requirements:

      (i) That notwithstanding Section 10E(2), only a maximum of one semi-detached dwelling and a townhouse dwelling having a maximum of three single family dwelling units shall be permitted; and,

      (ii) That notwithstanding Section 10E(4)(a), for a townhouse dwelling a side yard depth of not less than 4.0 metres shall be provided and maintained for the southerly lot line; and,

      (iii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than three single family dwelling units shall be attached in a continuous row; and,

   (c) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 2, be modified to include the following variance as a special requirement:

(i) That notwithstanding Section 10E(2), only townhouse dwellings having a maximum of ten single family dwelling units shall be permitted; and,

(ii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row; and,

(d) That no pedestrian or vehicular access shall be permitted from East Eleventh Street; and,

(e) That the building elevation drawings as submitted with a future Site Plan application for the subject lands be consistent with the height, scale, style, character and architectural details of the proposed dwellings shown in Appendix "B"; and,

(f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1400, and that the subject lands on Zoning District Map E-16 be notated S-1400; and,

(g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-16, for presentation to City Council; and,

(h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

SECTION 1 AMENDED AT COUNCIL MEETING HELD APRIL 28, 1998
SEE PAGE 579 - SECTION 11

2. That the Building Commissioner be authorized to issue a demolition permit for 453 Ottawa Street North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

3. That the Building Commissioner be authorized and directed to proactively enforce the requirements of the Property Standards By-Law 94-185 and By-Law 84-35 with respect to commercial parking lots.

4. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars ($2,000) be approved for Thelma Gravis, 358 Barton Street East. The interest rate will be 2 per cent amortized over 5 years.

5. (a) That the City of Hamilton participate in the Ontario Association of Property Standards Officers Annual Education Seminar and General Meeting by sponsoring the "President's Dinner", which will feature the Honourable Al Leach, Minister of Municipal Affairs and Housing, as key note speaker, on 1998 May 27, at McMaster University at a cost not to exceed $5,000; and,

   (b) That the Finance and Administration Committee recommend the method of financing.

6. (a) That approval be given to Zoning Application ZAR 98-09, Good Shepard Non-Profit Homes Inc., prospective owner, requesting removal of the 'H' - Holding provision under Section 36 of the Planning Act, to permit residential development, for property located at No. 100 Locke Street South, as shown on the attached map marked as Appendix "C". The 'H'-Holding provision was placed on the subject lands to prohibit development for the lands until such time as the applicant\owner submitted and received approval of "A Record of Site Condition", to the satisfaction of the Regional Environment Department and the Ministry of Environment.

   (b) That the Director of Planning be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 97-195, and Zoning District Map W-13, in a form satisfactory to the City Solicitor, for presentation to City Council.

7. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

   (a) C-53 A By-law to Adopt Official Plan Amendment No. 146 Respecting Lands Located East of Upper James Street and North of Rymal Road Within the Ryckman's Neighbourhood.

   (b) C-54 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-laws No. 86-273 and 90-306 Respecting Lands Located at Municipal Nos. 55, 69 and 75 Rymal Road East.

(c) C-55 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 30-36 Margaret Street.

(d) C-56 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 88-145 and to Repeal Zoning By-law No. 94-041 Respecting Lands Located at Municipal No. 867 Upper Paradise Road.

(e) C-57 A By-law to Amend By-law No. 87-308 as Amended by By-laws No. 92-079 and 98-074 Respecting Members of the Board of Management of the Barton Village Business Improvement Area.

(f) C-58 A By-law to Amend By-law No. 86-98 as Amended by By-laws No. 92-074 and 98-047 Respecting Members of the Board of Management of the Westdale Business Improvement Area.

(g) C-59 A By-law to Adopt the Downtown Hamilton B.I.A. Community Improvement Plan.

(h) C-60 A By-law to Adopt the Main Street West Community Improvement Plan.
REFERRED BACK.

(i) C-61 A By-law to Adopt Official Plan Amendment No. 147 Respecting Lands Located at 135 Fennell Avenue West Within the Buchanan Neighbourhood.
REFERRED BACK.

(j) C-62 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 135 Fennell Avenue West.
REFERRED BACK.

(k) C-63 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 135 Fennell Avenue West.

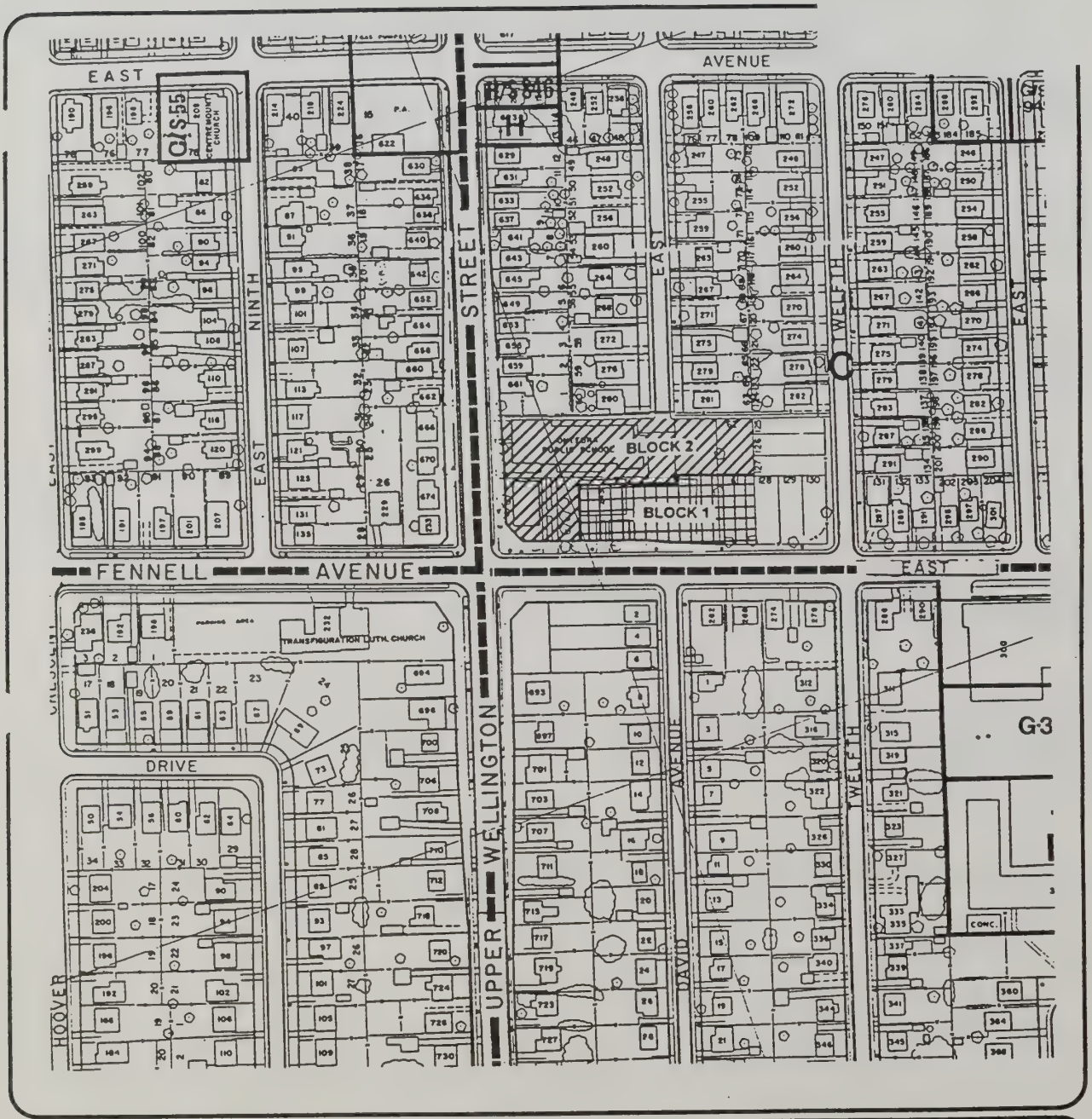
(l) C-64 A By-law to Amend By-law No. 97-140 Respecting the Downtown Hamilton Community Improvement Plan.

(m) C-65 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 97-195 Respecting Lands Located at Municipal No. 100 Locke Street South.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Susan Reeder, Acting Secretary
1998 April 14



Legend

Change In Zoning From:

BLOCK 1 — From "C" (Urban Protected Residential, etc.) District To "RT-20" - 'H' (Townhouse - Maisonette - Holding) District, Modified.

BLOCK 2 — From "C" (Urban Protected Residential, etc.) District To "RT-20" - 'H' (Townhouse - Maisonette - Holding) District, Modified.

City of Hamilton

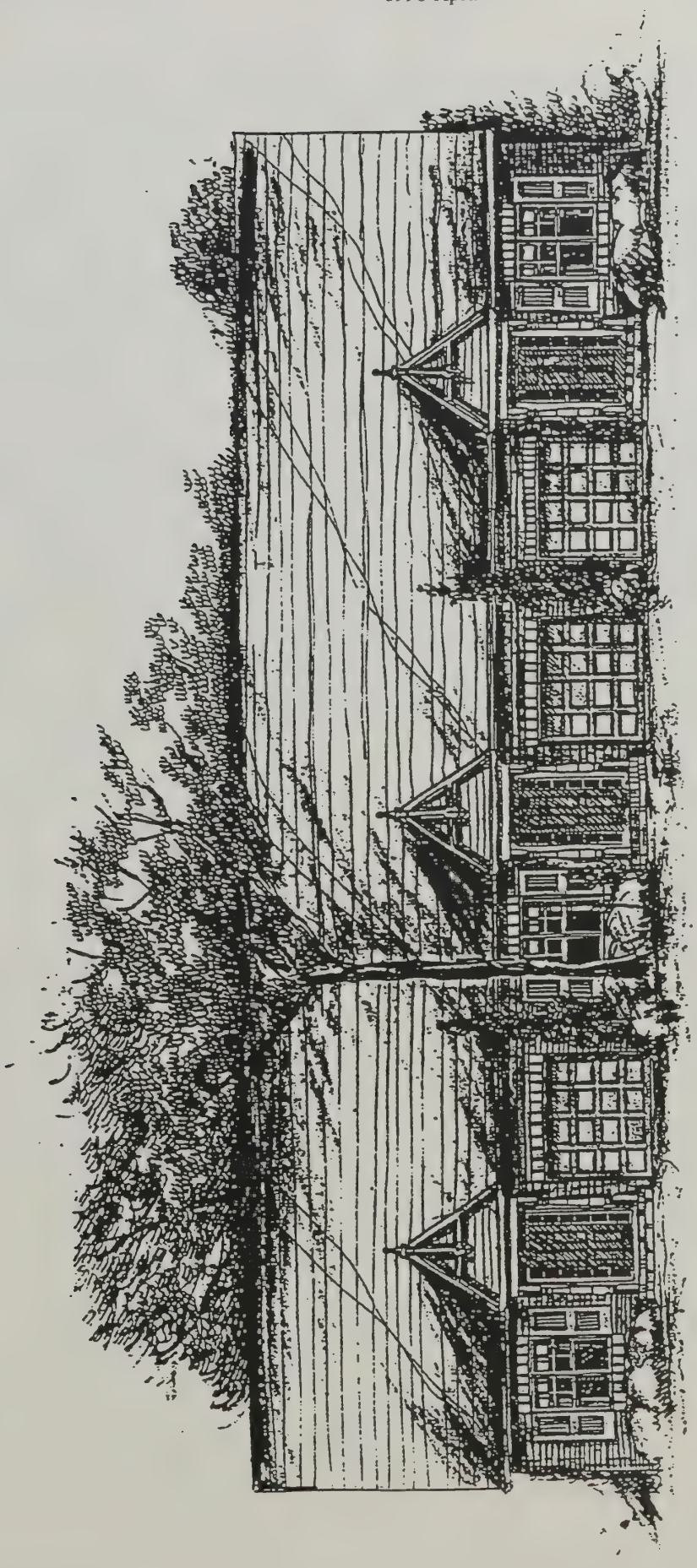
Location Map

Planning and Development Department

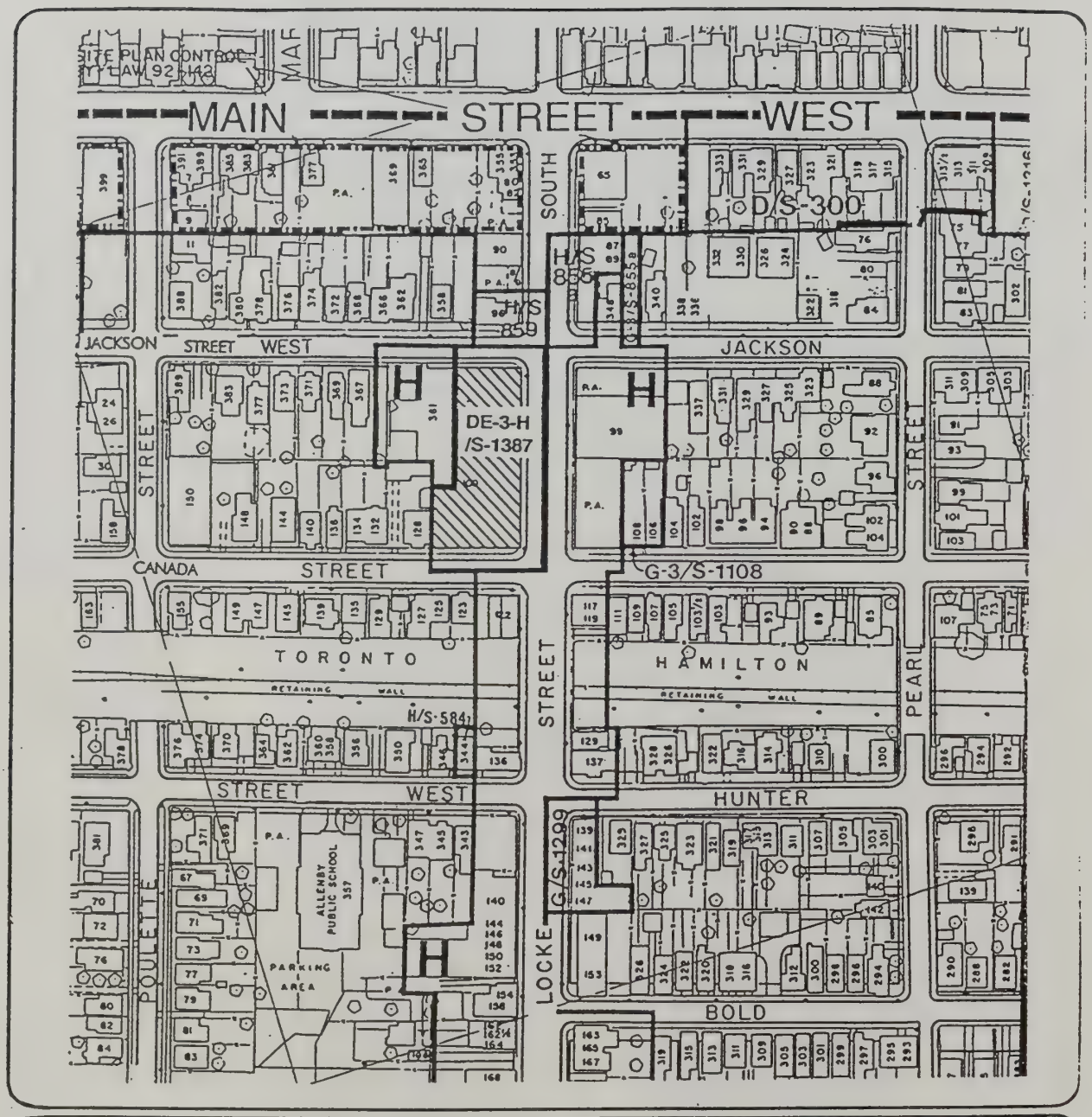
North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-03
	Date	Drawn By
	March, 1998	R. L.

AMENDED

Appendix "B" referred to in Section 1(e) of the **SEVENTH** Report of the Planning and Development Committee for 1998



ONTEORA Place



Legend

Site of the Application

City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAR-98-09
	Date	Drawn By
	March, 1998	R.L.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1998 and respectfully recommends:

1. That a purchase order be issued to G.C. Duke Equipment Ltd., Burlington, in the amount of $132,307, including volume order discount and all applicable taxes, being the lowest total acquisition cost meeting specifications of four tenders received in accordance with specifications issued by Purchasing and Vendor's tender. This purchase includes one (1) 5 Gang Sports Field Mower to be financed through T. B. McQueston Park Development, Captial Funds account No. CF 629254005 as approved by City Council 1997 March 18, and one (1) replacement, 5 Gang Sports Field Mower to be financed through the Reserve for Mobile Equipment Account pending the approval of the 1998 Capital Funds. The 4 Wheel Turf Truckster to be financed through the Turner Park Development Phase II, Capital Funds account No. CF 629754034 as approved by City Council 1997 March 18. **REFERRED BACK.**

2. That the following resolution respecting the Canadian Auto Industry be approved:

WHEREAS the auto industry, largely due to the Auto Pact, is critical to the economic health of Canada and its communities, with this important industry having been described as the engine of the Canadian economy; and,

WHEREAS trade policy has always been central to Canadian auto policy, with the auto industry providing 150,000 direct jobs (assembly and components) and some 175,000 spin-offs (steel, plastics, glass, rubber, etc.); and,

WHEREAS the federal government is contemplating an end to the Auto Pact by eliminating tariffs on all vehicles and components coming from overseas; and,

WHEREAS overseas auto companies have demonstrated a markedly lower commitment to investment and jobs than Big Three Companies; and,

WHEREAS the elimination of tariffs facing non auto-pact companies would inevitably lead to significant job losses in the many communities in Canada that depend on the auto industry, either directly or indirectly through related activities such as part, production and spin-off economic activity;

THEREFORE BE IT RESOLVED that the federal government be urged to reverse it's recent decision on auto parts and cease any action, legislative or otherwise, that would lead to the elimination of auto tariffs on vehicle assembly and further, that the federal government fully commit to protect the principles of the auto pact; and,

BE IT FURTHER RESOLVED that Hamilton City Council hereby go on record with federal and provincial governments in supporting the immediate withdrawal of any intention to implement such tariff removal and ensure the protection of the Auto Pact, and that the Prime Minister of Canada and the Premier of Ontario be so advised.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Copps, Wilson, Eisenberger, Collins, Jackson, Kelly, O'Sullivan. -13.

NAYS: Aldermen Morelli, Charters, Anderson, D'Amico. -4. **CARRIED.**

3. (a) That the City of Hamilton renew the lease with the Hamilton Municipal Employees' Credit Union Limited, respecting the use of approximately 100 square feet of the area adjacent to the walkway between City Hall and the Football Hall of Fame; and,

(b) That the new term be for a period of five (5) years commencing 1998 March 26 and expiring 2003 March 25, at a rental rate of $2,000 per year plus taxes of $690.13 for 1997, and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,

(c) That the option to renew the lease for a further five (5) period shall be at the discretion of the City with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the lease; and,

(d) That upon termination of the lease, the Lessee will remove its equipment and restore the site to its original state; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement in a form satisfactory to the City Solicitor.

4. (a) That authorization be given to establish an Open Order with Group 4 C.P.S. Limited of Hamilton, Ontario for City Hall security services for the remainder of 1998 through to and including 2001, this being the lowest of six tenders received in accordance with the specifications issued by the Purchasing Division, Ref: C2-398; and,

(b) That the annual expenditure (approximately $50,000) be financed from Account CH 56333 31102 City Hall - Security.

5. (a) That as referred to in Section 13 of the Third Report for 1998 of the Parks and Recreation Committee approved by City Council at its meeting held Tuesday, 1998 February 24th, a new interest bearing reserve "Reserve for Golf Course Improvement" be established for future development of Hamilton Civic Golf Courses; and,

(b) That the proceeds from the sale of an easement, in the amount of $50,000, for a Sanitary Sewer across the Chedoke (Martin) Golf Course to Chedoke Terrace Inc. be credited to the new reserve "Reserve for Golf Course Improvement".

6. (a) That the City of Hamilton advise the Province of Ontario that it objects to the Community Reinvestment Fund and Special Transition Assistance allocations to the City of Hamilton as announced on 1998 March 30; and,

(b) That the Province of Ontario be requested to correct the calculations of these figures and revise the allocation of these funds to the City of Hamilton to better reflect the costs of the Province's initiatives to City taxpayers.

7. (a) (i) That 177 Sherman Avenue North be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,

(ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,

(b) (i) That an Offer to Purchase under Power of Sale under mortgage for the property at 177 Sherman Avenue North for the price of $50,000, executed by 805726 Ontario Inc. (Mike Valvasori, President), dated 1998 March 25, be accepted. The said land has an area of 728.4 square metres (7,841 square feet) more or less, being Lot 15 on Registered Plan 245 in the City of Hamilton, said transaction scheduled to close 1998

June 23. Funds derived from this sale less commission be credited to Account Centre CH 00115 (Reserve for Contingency); and,

(ii) That the required deposit cheque in the amount of $5,000 be held by the City Treasurer pending Council approval; and,

(iii) That the Offer be approved subject to clauses which state:

(1) That the Vendor consents to the Purchaser, at their sole expense, to make application to the Assessment Review Board - Ministry of the Attorney General, appealing the assessment on the subject property prior to closing and the Vendor agrees to sign any required documentation for that application and to do all things reasonably necessary in support of it; and,

(2) That the Purchaser acknowledges that the closing of the herein transaction is not conditional upon the successful completion of said assessment appeal. The Purchaser shall be required to close the herein transaction regardless of the status of the appeal; and,

(3) Upon closing, the Purchaser agrees to immediately proceed to fix up the facade of the building in an aesthetically pleasing manner.

(iv) That upon successful completion of this sale, a real estate commission of 6% of the sale price be paid to Blair, Blanchard, Stapleton Ltd. (Robert Miles, Agent), who acted in this matter; and,

(v) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1998 April 7.

REFERRED BACK.

8. (a) That the organizational structure for the City Clerk's Department, attached herewith and marked as Appendix "A", which provides for the following changes, be approved:

(i) Inclusion of the Real Estate Division into the City Clerk's Department as approved by City Council on 1997 May 14; and,

(ii) Inclusion of the Imaging function of the Information Systems Department into the Administration Division of the City Clerk's Department as approved by City Council on 1997 September 30; and,

(iii) Transfer of the Establishment and Mobile licensing and Smoking Control functions to the Building Department effective 1998 April 15; and,

(iv) Transfer of responsibility for the operation of the Hamilton Farmers' Market to the Culture and Recreation Department effective 1998 April 15; and,

(v) Inclusion of the Committee of Adjustment function into the Legislative Division effective 1998 April 15; and,

(b) That the following positions be eliminated:

(i) Licence Steno I (one vacant position-currently funded); and,
(ii) Smoking Control Officer (one vacant position-currently funded); and,
(iii) Legislative Assistant II (one position-funding deleted 1995); and,
(iv) Legislative Steno II (one vacant position-funding deleted 1997); and,
(v) .5 FTE Committee of Adjustment (effective 1998 June 30); and,
(vi) Chief Appraiser, Real Estate Division (effective 1998 June 30); and,

(c) That the position of Lottery Clerk be established and that job documentation for this position be prepared and forwarded to the Commissioner of Human Resources for review and establishment of salary classification; and,

(d) That the following additional changes be approved:

(i) Reduction of one level of supervision in the Real Estate Division with the elimination of the position of Chief Appraiser; and,

(ii) Restructuring of the reporting relationship in the Legislative Division to provide for the Legislative Steno's in that division to report directly to the Manager of Legislative Services rather than the Legislative Assistants and also implement generic job descriptions for all Legislative Steno's in the division; and,

(iii) Elimination of the Licence Division with the transfer of the establishment and mobile functions to the Building Department and transfer of the lottery function to the Administrative Division; and,

(iv) Transfer of the Administrative Assistant II, formerly in the Property Department, to the Legislative Division/C.A.O. relief; and,

(v) Transfer of the following staff complement to the Building Department along with the transfer of a $445,000 expenditure base and a $949,000 revenue base to reflect the transfer of the Establishment and Mobile components of the Licence Division:

Manager, Licence Division
3 Licence Clerks
Chief Licence Inspector
Licence Inspector/Mechanic
2 Licence Inspector II's

(vi) Transfer of the following staff complement to the Culture and Recreation Department along with the transfer of a $270,500 expenditure base and a $472,930 revenue base to reflect the transfer of the operation of the Hamilton Farmers' Market:

Market Manager
Market Clerk
Market Cleaner
Attendant II
Loading Dock Attendant

9. (a) That the Building Commissioner be authorized and directed to implement restructuring of internal divisions within the Building Department to facilitate delayering, multi-tasking, reduction of supervision, empowering of staff, and greater cost efficiency; and,

(b) That the existing position of Manager, Licence Division transferred from the City Clerk's Department be retitled a Project Manager and report directly to the Building Commissioner and be deleted no later than 1999 July 1; and,

(c) That three existing Licence Clerk positions transferred from the City Clerk's Department be deleted and replaced with two Customer Service Representatives; and, **AMENDED.**

(d) That the existing Chief Licence Inspector transferred from the City Clerk's Department be retitled to a Supervisor of Licensing; and,

(e) That the function of the Committee of Adjustment be divided with the City Clerk's Department effective 1998 April 15 by:

(i) Transferring the position of Secretary-Treasurer and the expenditure base of $58,320 to the City Clerk's Department; and,

(ii) Transferring the .5 Committee of Adjustment Clerk and the expenditure base of $19,910 to the City Clerk's Department; and,

(iii) Reassigning the Customer Service Loans Officer to the Customer Services Division of the Building Department; and,

(iv) Transferring an expenditure base of $6,000 for postage to the City Clerk's Department; and,

(f) That the Manager of Customer Services report directly to the Building Commissioner; and,

(g) That the Director of Technical Services and Deputy Building Commissioner be retitled to Director of Field Services and Deputy Building Commissioner; and,

(h) That the position of Manager of Administrative Services be deleted and replaced with a new position of Customer Service Engineer/Office Administrator; and,

(i) That new job descriptions be sent to the Commissioner of Human Resources for classification.

10. Pursuant to the Indemnification By-law, that City Council provide the Building Commissioner with independent counsel to represent him in the application by the Hamilton-Wentworth Sponsors Association Inc., for the revocation of Building Permit No. 97 007896 000 00 issued for alterations for casino purposes in Jackson Square.

11. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-025 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

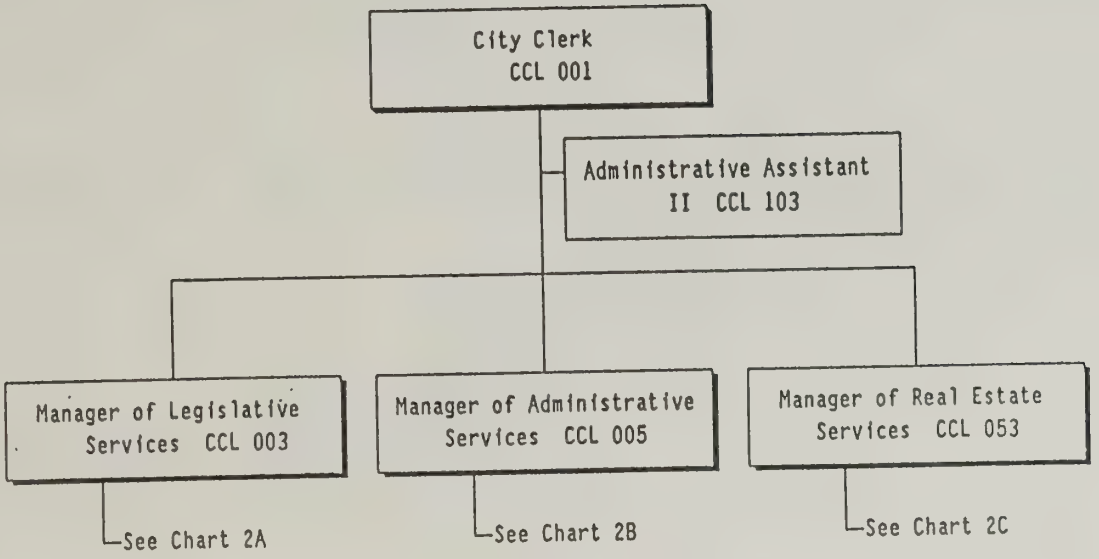
Susan K. Reeder
Secretary
1998 April 7

1998 April 14

Appendix "A" referred to in Section 8 of the **ELEVENTH** Report of the Finance and Administration Committee for 1998

CITY CLERK'S DEPARTMENT
"PROPOSED ORGANIZATIONAL STRUCTURE"

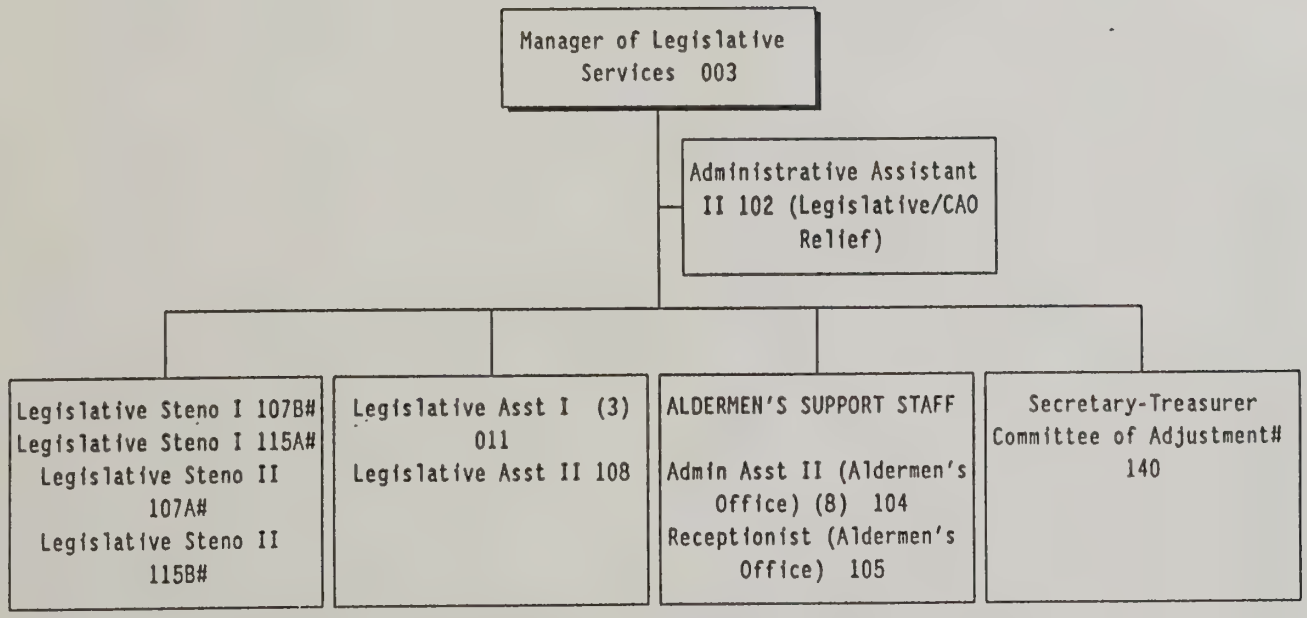
Chart 1 of 2



March 30, 1998

CITY CLERK'S DEPARTMENT
"PROPOSED ORGANIZATIONAL STRUCTURE"

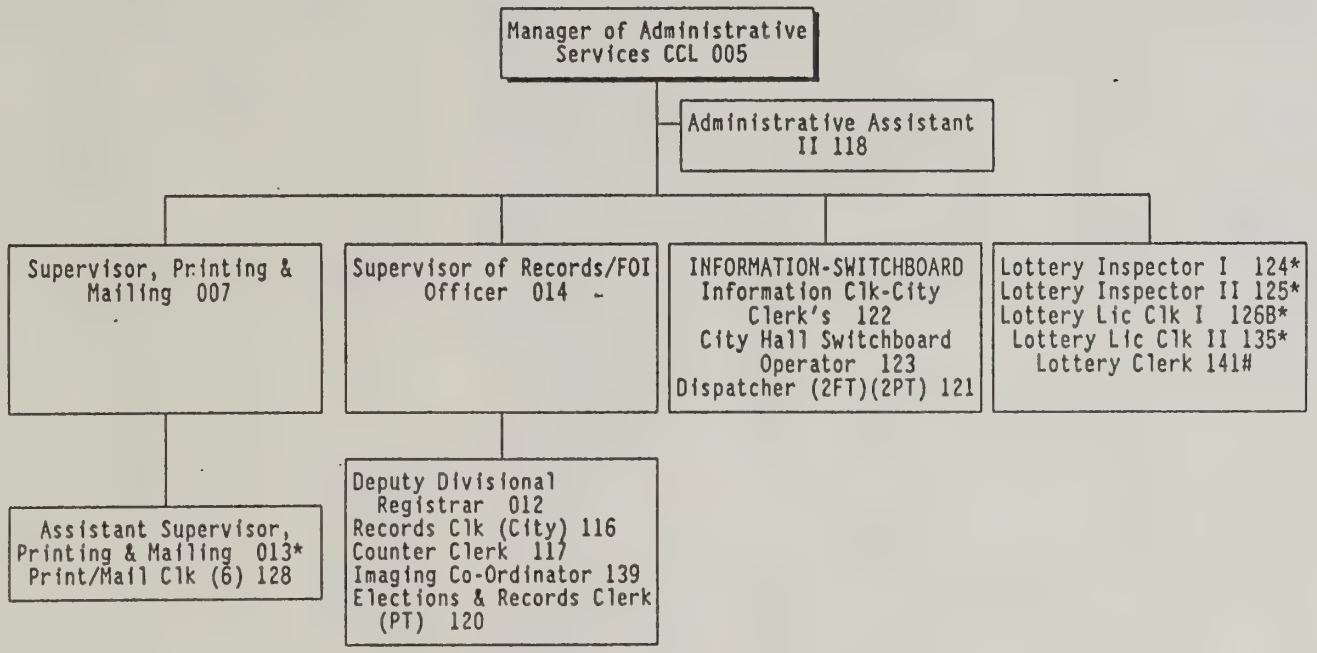
Chart 2A of 2



March 30, 1998
#To Be Reviewed

CITY CLERK'S DEPARTMENT
"PROPOSED ORGANIZATIONAL STRUCTURE"

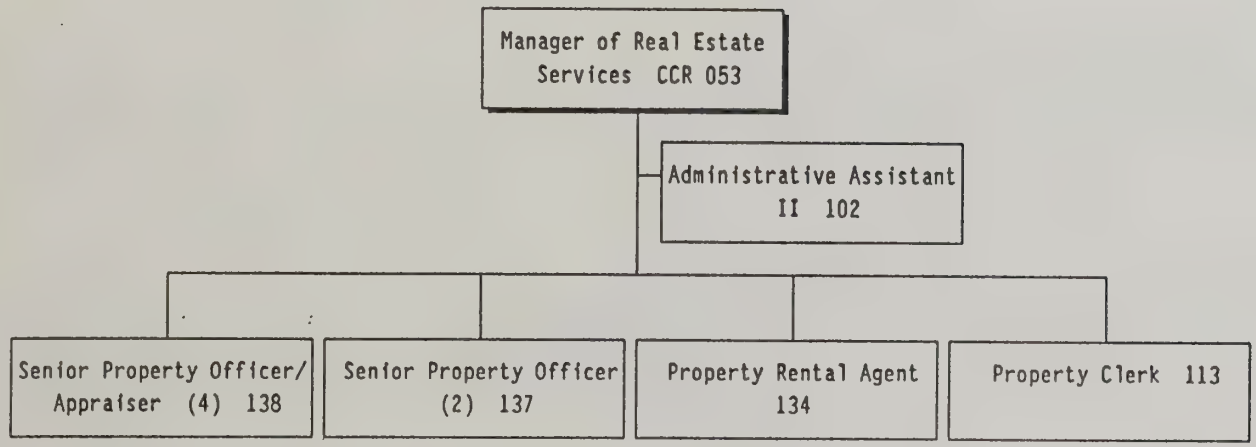
Chart 2B of 2



March 30, 1998
*To Be Reviewed
#New Position

CITY CLERKS DEPARTMENT
"PROPOSED ORGANIZATIONAL STRUCTURE"

Chart 2C of 2



March 30, 1998

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **NINTH** Report for 1998 and respectfully recommends:

1. (a) That Subsection (b) of Section 1 of the FIFTH Report for 1998 of the Committee of the Whole, approved by City Council at its meeting held 1998 February 27, reading as follows:

> "(b) That inasmuch as a mutually agreeable solution was not reached, that the above-noted Task Force work with staff to compile the Proposal call for the use of the Marina property."

be rescinded; and,

(b) That the Lease dated the 13th day of April, 1998, between the Corporation of the City of Hamilton and Scott-MacDonald Limited, attached hereto as Appendix "A" be approved with the following amendments:

(i) To delete section 2(c) of the Agreement and insert in lieu thereof the following:

> "(c) The three (3) existing mechanized gates controlling access to the Tenant's docks shall remain in place, any appurtenant maintenance and repair shall be at the Tenant's expense. The Landlord, at its expense, will control the rolling gate at the access point of the northern and southern boundaries of the site."

(ii) That subsection (b)(i) of Section 4 in the last line which reads as follows, "in a manner that provides the same burden on the tenant as imposed on Macassa Bay Yacht Club" be deleted.

(iii) That the following clauses be added to the Agreement:

> "(a) That the City of Hamilton be saved harmless due to any hazard or concern relative to the operation of the Tenant across the City of Hamilton 'Pathway', and that such liability lie with the Tenant; and,

(b) That the Tenant will provide the City of Hamilton evidence of $5,000,000 insurance for personal injury, death, property or other claims in respect of any one accident or occurrence."

(iv) "That the Page 2 of the Agreement be amended by adding the words "exclusive of weekends" in Section 2 (a), following the words "7:00 a.m. and 5:00 p.m." **ADDED.**

(c) That the Mayor and City Clerk be authorized to execute the lease.

Recorded vote on section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Eisenberger, Collins, Anderson. -5. **CARRIED.**

RESPECTFULLY SUBMITTED,

MAYOR R. M. MORROW
CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz
1998 April 14

Appendix "A" as referred to in Section 1 of the Ninth Report of the Committee of the Whole for 1998

THIS LEASE, dated the ~~4th~~ 8th April day of ~~November~~, ~~1998~~

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON
(hereinafter may be referred to as the "Landlord"
or as the "City")

and

SCOTT-MACDONALD LIMITED
(hereinafter may be referred to as the "Tenant")

WITNESSETH THAT:

1. DEFINITIONS AND INTERPRETATION

(1) Definitions. The following expressions, where used in this Lease, mean:

(a) "Buildings" includes all Buildings and Structures on the Land;

(b) "Completion Date" means the date determined as provided in paragraph 7(a);

(c) "Plans" means any and all architectural, structural, mechanical and landscape contract drawings of the Lands and Buildings which the Tenant has caused or may cause to be prepared, filed and approved by the Commissioner of Public Works and Traffic;

(d) "Land or lands" means that parcel of land and land covered by water, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth described in Paragraph two of this Lease;

(e) "Lease Year" means each of the consecutive periods of twelve months comprising the term of this Lease, the first Lease year being the period of twelve months commencing on the date of commencement of the term and ending on the day preceding the first anniversary of the date of commencement, and each succeeding lease year being a period of twelve months commencing on the day following the expiration of the Lease year preceding it;

(f) "Pathway" means the Pedestrian Walkway of a twenty (20) foot width ~~to~~ as presently be situated on the Lands ~~along the shoreline of the Lands immediately to the rear of the existing shoreline protection~~, maintaining existing grade, as depicted on Schedule "A";

(g) "Persons" includes individuals, firms and corporations;

(h) "Term" means the term of this Lease set out in paragraph 3;

(2) Interpretation. The captions and headings in this Lease are for convenience of reference only, and do not affect the scope, intent, or interpretation of any provision.

2. GRANT

(1) Grant.

In consideration of the rents hereby reserved and the covenants contained on the part of the Tenant, the Landlord grants this Lease to the Tenant and in consideration of this grant the Landlord hereby demises and leases to the Tenant

and the Tenant rents from the Landlord for the Term the land and land covered by water described as follows:

Part of Lots 3 to 10 (both inclusive), Block 39 and part of the lands covered by water or formerly covered by water in front of Block 39 as shown on a plan of subdivision registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 127 and designated as Part 4 on a Plan of Expropriation registered in the said Land Registry Office as Instrument No. 280084 C.D. save and except that parcel of land along the shoreline having a width of not less than twenty (20) feet to be retained for use by the Landlord as a public pedestrian walkway traversing the Lands, City of Hamilton, Regional Municipality of Hamilton-Wentworth which lands are to be described by reference plan to be prepared by the Landlord at its cost, the "Pathway".

(2) Pathway.

(a) The Landlord and Tenant agree to the ~~installation of a fenced~~ continuation of public access over the Pathway, at the Landlord's cost, traversing the Lands as shown on Schedule "A", which Pathway does not form part of the leased Lands. The Landlord hereby grants the Tenant, its clients, employees, agents, and assigns an enclusive right-of-way over the Pathway during ~~hours specified by the Landlord~~. 10 working days in the spring and in the fall between 7:00 am and 5 p.m.

(b) The Pathway shall be fenced ~~on the southerly limit of the Pathway for the entirety of its length. The Pathway shall further be fenced along the northerly limit from the most westerly point of the Pathway to the point where the Pathway meets the shoreline~~. hydrostatic fencing over the winter months between haul out and launch.

(c) The three (3) existing mechanized gates controlling access to the Tenant's docks shall remain in place, any appurtenant maintenance and repair shall be at the Tenant's expense. The Landlord at its cost will install a rolling controlled gated access point, on both fence lines where the Pathway is entirely fenced, of a width and type to accommodate the movement of boats and other equipment of the Tenant and its clients.

(d) The Landlord shall bear any and all security, repair, maintenance, and utility costs related to the Pathway unless otherwise specified herein.

3. TERM

(1) Term.

To hold the Land from time to time for the term of twenty (20) years commencing on ~~January~~ June 1, 1998, and expiring on the ~~December~~ May 31, 2018, but subject to prior termination in the events herein set out.

(2) Overholding after Term.

In the event that the Landlord permits the Tenant to remain in occupation of the Land after the expiration of the Term, the Tenant is thereafter a tenant from month to month (the tenancy being terminable by either the Landlord or the Tenant upon written notice given to the other party not less than one month prior to the termination date) and at a rent equal to the monthly rent payable by the Tenant during the last year of the Term, payable by monthly instalments in advance as herein provided, and otherwise upon and subject to all the covenants and provisos of this Lease applicable to a monthly tenancy.

(3) Surrender of Lease.

(a) Upon the expiration of the Term or any permitted period of overholding, or if the Landlord becomes entitled to terminate and declares this Lease to

be terminated pursuant to any provisions hereof, the Tenant shall surrender to the Landlord the possession of the Land and all the rights of the Tenant under this Lease terminate but the Tenant, notwithstanding termination, remains liable to the Landlord for any loss or damage suffered by the Landlord from any default of the Tenant.

(b) The Tenant shall remove the Buildings, its fixtures, and chattels as more particularly set out herein from the Land on or before the expiry of the lease term or, if this lease is terminated by the Landlord within three (3) months of the termination date. In the event that the Tenant has not removed the Buildings, fixtures, and its chattels within six (6) months, the Landlord shall have the right to do so at the cost of the Tenant.

4. RENT

(1) Annual rent.

(a) The Tenant shall pay to the Landlord annual rent of $12,500. per year, payable annually, in advance, from ~~December~~ JUNE 1st, 1998 to ~~November 30th~~ MAY, 2001.

(b) The Tenant shall, from ~~December~~ JUNE 1, 2001 to ~~November~~ MAY 30, 2018 pay annual rent at a rate equal to the original rate plus the yearly accumulated increase in the Consumer Price Index as published by Statistics Canada over the previous five (5) year period calculated on ~~December~~ JUNE 1st, 2001, ~~December~~ JUNE 1, 2006 and ~~December~~ JUNE 1, 2011.

(c) All payments of rent shall be made payable to the "City of Hamilton", and mailed or delivered to the City, Attention: Treasury Department, 71 Main Street West, Hamilton, Ontario L8P 4Y5 or as the Landlord may otherwise direct in writing.

[Copied from Macassa Bay Yacht Club lease]

(e) ~~All payments of rent shall be made payable to the "City of Hamilton", and~~ mailed or delivered to the City, Attention: ~~Treasury Department~~, 71 Main Street West, Hamilton, ~~Ontario~~ L8P 4Y5 or as the Landlord may ~~otherwise direct in writing~~.

[Duplicate-deleted]

(2) ~~Rent to be net to the Landlord~~.

(a) All rent required to be paid by the Tenant hereunder shall be paid without any deduction, abatement or setoff whatsoever, it being the intention of this Lease that all expenses, costs, payments and outgoings incurred in respect of the Land, the Buildings and other improvements or for any other matter or thing affecting the Land shall (unless otherwise expressly stipulated herein to the contrary) be borne by the Tenant, that the rent herein provided shall be absolutely net to the Landlord and free of all abatement, setoff or deduction of realty taxes, charges, rates, assessments, expenses, costs, payments or outgoings of every nature arising from or related to the Land, the Buildings or any other improvements thereon and that, subject to the provisions of this Lease, the Tenant shall pay all such taxes, charges, rates, assessments, expenses, utilities charges, costs, payments and outgoings.

(3) Interest on amounts in arrears.

When rent or other obligations (other than realty taxes) is or becomes payable by the Tenant to the Landlord and such payment is not paid by the Tenant and received by the Landlord as required, the Tenant shall pay interest on such arrears until paid by the Tenant, at the rate of the CIBC prime lending rate plus 2%, as adjusted quarterly, and the Landlord has all the remedies for the collection of interest, if unpaid after demand, as in the case of rent in arrears, but this stipulation for interest does not prejudice or affect any other remedies of the Landlord under this Lease.

(4) Real estate taxes.

(a) The Tenant shall pay before any fine, penalty, interest or costs accrue for the non-payment thereof all real estate taxes, assessments, rates and charges and other government impositions, general or special, ordinary or extraordinary, foreseen or unforeseen, of every kind (including assessments for local or public improvements and school taxes) which may at any time during the Term be imposed, assessed or levied in respect of the Land, the Buildings and all fixtures and improvements from time to time thereon, or which, however, imposed, might constitute a lien on the Land or the Buildings or any part thereof or a liability of the Landlord (all of which taxes, assessments, rates, charges and impositions are referred to in this paragraph as "Realty Taxes"). The Tenant may, nevertheless take advantage of any provisions of law whereby Realty Taxes may be paid by instalments or deferred for some portion of the fiscal year to which they relate, provided that no fine, penalty or cost is incurred except accrued interest on the unpaid balance of the taxes. If any Realty Taxes relate to a fiscal period which extends beyond the expiration of the Term, and the Tenant is obliged by the provisions of this paragraph to pay taxes, the Landlord shall, upon demand and proof of payment, reimburse the Tenant for that proportion of the Realty Taxes which relates to the period after the date of expiration of the Term. If the Tenant fails to pay any Realty Taxes, the Tenant shall pay any fine, penalty, interest and expense arising therefrom.

(b) The Tenant agrees that in order to comply with its obligations herein to pay realty taxes "before any fine, penalty, interest or cost accrue for the non payment thereof", set out in section 4 (1)(a) above,

(i) that the Landlord shall invoice the Tenant for realty taxes in the same manner with the same due dates, (and subject to the same interest rates and penalties on their arrears, if any) as are due and payable from time to time on real property taxes in a manner that provides the same burden on the tenant as imposed on Marina Bay Yacht Club.

(ii) that the Tenant shall pay the realty taxes invoiced to the Tenant on or before the due dates required by such invoices.

(iii) the Tenant's default in payment of the said realty taxes as required by such invoices shall constitute an event of default under this Lease with all the applicable consequences under this Lease, (save and except that interest and penalties on such arrears of realty taxes shall be calculated in the same manner and upon the same rates as may be fixed from time to time by the Landlord for realty taxes).

(iv) the Tenant shall furnish, if required by the Landlord, official receipts evidencing the payment thereof.

(c) The Tenant has the right to contest the amount or validity of all Realty Taxes imposed in respect of the Land or the Buildings and the Tenant shall prosecute the proceedings with due diligence.

(d) If the Tenant is contesting in good faith the amount or validity of any Realty Taxes and has complied with the provisions of this paragraph and if it becomes necessary for the Landlord to join in or consent to the proceedings, the Landlord shall join or consent as required, and the Tenant shall indemnify the Landlord against all expense arising therefrom.

(e) Nothing in this paragraph requires the Tenant to pay any franchise, estate, inheritance, succession, capital levy or transfer tax of the Landlord, or any income, profits or revenue tax of the Landlord, or any tax imposed upon the rent received by the Landlord.

5. GENERAL COVENANTS OF LANDLORD AND TENANT

(1) The Tenant covenants with the Landlord;

(a) to pay rent; and

(b) to observe and perform all the covenants, and provisos of this Lease on the part of the Tenant to be observed and performed.

(c) to pay or cause to be paid when due all charges for gas, electricity, light, heat, power, telephone and other utilities and services used in or supplied to the Buildings throughout the Term of this Lease, and shall indemnify the Landlord against any liability or damages pertaining thereto.

(2) The Landlord covenants with the Tenant:

(a) for quiet enjoyment; and

(b) to observe and perform all the covenants and provisos of this Lease on the part of the Landlord to be observed and performed.

6. ~~EXPROPRIATION REMEDIES~~ [Previously Revised. City Has Release]

~~In consideration of the lease hereby granted, The Tenant agrees to accept the sum of $2.00 from The Corporation of the City of Hamilton in full payment and settlement of~~

~~compensation for all interest in the Lands including any and all claims for business loss,~~ tenant improvements, relocation costs, injurious affection, or any other claim whatsoever arising out of the expropriation of the Land and for so doing the Tenant hereby remises, releases, and fully discharge The Corporation of the City of Hamilton from any and all expropriation claims which it may have under the Expropriation Act. The Tenant further agrees to execute and cause any other parties determined appropriate by the Landlord to execute any and all documentation required by the Landlord in this regard within one (1) ~~month of the execution of this lease~~.

7. IMPROVEMENTS

(a) The Tenant shall as specified by Schedule "B" attached hereto supply, construct and install improvements as set out therein ~~on or before December 31, 1999, with the~~ exception of dock reconstruction, to the satisfaction of the Commissioner of Public Works and Traffic. The Tenant ~~shall complete~~ all dock reconstruction on or before December ~~31, 2002~~. Failure to complete such specified improvements shall ~~constitute default as defined by paragraph 19(2)~~.

[See Schedule B for times and details.]

(b) The Tenant shall further have the right from time to time during the Term to make additional changes, alterations, additions, extensions or rebuildings, structural or otherwise (collectively called "Improvements") in and to the Buildings as the Tenant thinks necessary, but subject to the following conditions (which the Tenant covenants to observe and perform):

(1) The Improvements shall be such as will not, when completed, diminish the value or utility of the Buildings, or change the character as a good quality marina operation;

(2) No Improvements shall be commenced until the Tenant has obtained all building and other permits required by lawful authority;

(3) No Improvements, which involve structural or substantial changes, alterations, additions, extensions or rebuildings to the Buildings, Building shall be commenced until Plans have first been submitted to and approved by the Landlord in writing, As set out in Schedule B.

(4) No Improvements involving a cost as estimated by the Tenant of more than $15,000.00 (and the Tenant shall obtain the estimate for any Improvements or repairs when requested by the Landlord) shall be commenced until the Tenant has applied for and received the approval by resolution in writing of the City Council and:

(a) the Tenant has deposited with the Landlord cash, bonds or negotiable securities approved by the Landlord, sufficient to pay the cost of the Improvements as estimated and certified by the Tenant's Architect, or

(b) the Tenant has produced a guarantee in form and substance and by a guarantor satisfactory to the Landlord for the due completion of the Improvements in accordance with all the provisions of this Lease and the payment of their entire cost;

(5) Every improvement involving an estimated cost of more than $25,000.00 shall be conducted under the proper supervision of a qualified Professional, appropriate to the improvement, as determined by the City;

(6) Every improvement shall be constructed expeditiously, in good and workmanlike manner, in compliance with the Plans approved by the Landlord, and in compliance with all applicable municipal by-laws and

other laws, regulations and requirements of all authorities having jurisdiction;

(7) The cost of every improvement shall be paid by the Tenant in cash when due (subject only to the retention of any amounts which are required to be withheld under the provisions of the Construction Lien Act or which the Tenant's Professional has certified are properly to be retained in order to secure due performance of the work);

(8) The Tenant shall maintain fire and liability insurance during the construction of every improvement involving an estimated cost of more than $25,000.00 whenever the Landlord reasonably requires;

(c) Without limiting the generality of the provision in the previous subsection,

(i) the Tenant agrees not to demolish any building or structure (or a portion thereof) without first obtaining the Landlord's consent in writing;

(ii) the Tenant agrees not to proceed with any substantial alteration, remodelling or re-building of, or addition to, any building or structure without first obtaining the consent in writing of the Landlord;

(iii) the consent in writing referred to in (i) and (ii) above may be arbitrarily refused by the Landlord.

(d) Subject to the prior approval of the Commissioner of Public Works and Traffic, the Tenant may erect signs on the exterior of the Buildings and upon the Land.

8. OWNERSHIP OF BUILDINGS, IMPROVEMENTS, AND FIXTURES

(1) The Landlord and the Tenant agree that the Buildings and all other fixed improvements which the Tenant may construct upon the Land from time to time are and shall be fixtures to the Land, and shall be deemed, as between the Landlord and the Tenant, to be the separate property of the Tenant and not of the Landlord but subject to and governed by all the provisions of this Lease applicable thereto and that all dealings by the Tenant with the Buildings or the fixed improvements which in any way affect title shall be subject to the condition that Tenant shall not assign, encumber or otherwise deal with the Buildings or the fixed improvements or the herein Lease separately from any permitted dealing with the leasehold interest under this Lease, to the intent that no person who does not at the same time hold a like interest in the Buildings and the fixed improvements shall hold or enjoy any interest in this Lease acquired from the Tenant.

(2) Ownership of Tenant's fixtures.

The provisions of paragraph 8(1) shall not be construed to prevent the Tenant from the right of property in, or the right to remove, fixtures or improvements which are of the nature of usual tenant's fixtures and normally removable by lessees and which are not part of the structure or any essential part of the Buildings or any building services. The Tenant shall make good all damage to the Buildings caused by any removal of Tenant's fixtures.

(3) Removal of Tenant's fixtures.

Provided the Tenant is not in default hereunder, the Tenant shall at or immediately before the expiration of the term of this Lease, remove its Buildings, docks, furniture, chattels and other usual tenant's fixtures, including but not limited to: portable buildings, electrical lights, tranformer and panel, all lumber blocking and timbers, all cradles, electrical swing jig hoist, mast hoist, all mobile equipment, all socks c/w electrical and tie up fixtures, all tools and equipment, portable

washrooms, all mooring, floating and fixed docks. The Tenant may further from time to time remove such tenant's fixtures in the ordinary course of its business or in the event of any reconstruction, changes and alterations of the Buildings pursuant to paragraph 7; provided that the Tenant shall, except upon the expiration of the term of this Lease, cause the Tenant's fixtures to be replaced with fixtures having a value and utility at least equal to that of the fixtures so removed, considering the need to replace obsolete or defective fixtures and to substitute improved fixtures, and the consequences of any reconstruction, changes and alterations to the Buildings.

9. LEASEHOLD MORTGAGE

(1) The Tenant has the right from time to time to mortgage this Lease and its leasehold interest (whether by way of charge or assignment, either of which may be contained in a mortgage or indenture, or other similar instrument to secure bonds, debentures or other evidences of indebtedness), the mortgage being herein called "leasehold Mortgage", provided the following conditions have been complied with:

(a) The Mortgagee (and the assignee of the Mortgagee,) shall covenant with the Landlord to be bound by all the covenants and obligations of the Tenant hereunder as soon as such Mortgagee (or assignee of the mortgagee) enters into possession of the Land; and,

upon the sale or transfer of the mortgaged interest following the realization by the Mortgagee of the security of the mortgage or by the exercise of the power of sale in the mortgage or otherwise, the assignee of the mortgaged interest shall covenant with the Landlord to perform all the Tenant's obligations under this Lease, but so soon as the assignee becomes bound by the Tenant's obligations, the Mortgagee shall be relieved from its covenants;

(b) Any leasehold mortgage of the Tenant's leasehold interest shall include not less than all of the Tenant's leasehold property pursuant to this Lease, namely the Land, the improvements and the fixtures situate on the Land;

(c) The terms of the leasehold mortgage, including the amount thereof shall be reasonable having regard to the method and terms of financing available, the then conditions in the lending marketplace and all other relevant circumstances and the mortgage is entered into in good faith and at arm's length for the purpose of securing a loan to finance all or any part of the development and construction costs for improvements to the Land.

(d) The terms of the proposed leasehold mortgage loan shall be submitted by the Tenant to the Landlord and, if in the opinion of the Landlord, the same comply with paragraph 9 of the Lease, the Landlord shall enter into a Mortgage Approval Agreement with the Tenant and with the proposed Mortgagee confirming such compliance as well as the Landlord's and the Mortgagee's rights and obligations under this paragraph 9. The said Mortgage Approval Agreement shall have been executed and registered on title to the Land before the Tenant grants the said proposed leasehold Mortgage.

(2) A prospective assignee of the Mortgagee may receive an assignment of this Lease from the leasehold Mortgagee, provided:

a) such assignment is of the whole leasehold Land and is for the balance of the Lease term then remaining; and,

b) the prospective assignee meets the requirements in subsection three below; and,

c) the prospective assignee has entered into and registered on title to the Land an agreement with the Landlord:

(i) to provide the Landlord with the covenants required of an assignee in paragraph 9(1)(a) above; and,

(ii) to confirm its obligations to the Landlord to meet the minimum requirements in subsection three below;

(3) An assignee of the Lease from the leasehold Mortgagee,

(a) must demonstrate to the reasonable satisfaction of the Landlord that it has a comparable level of experience of marina management to that of the Tenant;

(b) must demonstrate to the Landlord, acting reasonably, that it has the financial ability to perform and secure the performance of the obligations of the Tenant under the Lease; and

(c) must provide a management plan acceptable to the Landlord, acting reasonably, as to the management of the Land agreeable to the Landlord and which reflects of Landlord's long term development initiatives and objectives for the Land and the adjacent parks.

(4) The Landlord agrees, for the benefit of the leasehold Mortgagee,

a) that in the event the Landlord gives written notice of the occurrence of default to the Tenant pursuant to this Lease, the Landlord shall also at the same time, give written notice of the occurrence of the default to the leasehold Mortgagee;

b) that upon the Landlord becoming aware of an occurrence of default and whether same is capable of being cured (a "curable default") or whether same is not capable of being cured (a "non-curable default") the holder of the leasehold Mortgage is entitled, in order to avoid a forfeiture of the Lease, to make any and all payments and do and perform all acts or things necessary or required to prevent the forfeiture.

c) that if this Lease shall be subject to termination or forfeiture, the Tenant's default shall be deemed to have been sufficiently cured if the Mortgagee shall take possession and control of the Land and improvements, assume the Lease and covenant with the Landlord to perform all the obligations of the Tenant thereunder and cure any default by the Tenant within the period specified;

d) that the leasehold Mortgagee shall not be bound by or liable to perform any of the covenants or obligations of the Tenant under this Lease unless and until the Mortgagee enters into possession of the Land and improvements or any part thereof.

(5) In the event the leasehold Mortgagee has exercised its rights under the leasehold mortgage to enter into possession of the Land due to the default of the Tenant under the leasehold Mortgage; and in so doing has acquired and assumed the Tenant's rights and obligations pursuant to and under this Lease; and the Tenant has thereby ceased to be the Tenant under this Lease and the Leasehold Mortgagee has not made an assignment of this lease to an assignee and the leasehold Mortgagee has fulfilled the outstanding obligations of the Tenant to the Landlord under the Lease; provided the Mortgagee has fulfilled the foregoing, such Mortgagee in possession of the Land shall also have the right, upon not less than sixty days notice in writing to the Landlord, to surrender to the Landlord in

writing, possession of the Land and this Lease, as of the expiry of the said sixty day notice period.

Such surrender shall be upon the following terms:

(i) such surrender of possession and this Lease to the Landlord shall be in writing and delivered to the Landlord prior to the expiry of the said sixty day notice period, but shall not take effect until the first working day following the expiry of the said period.

(ii) such surrender shall include vacant possession of the Land to the Landlord and all improvements upon the Land without payment of any compensation therefor and shall provide the Mortgagee's release of its lien or any other claim it may against the Land, the improvements or the Landlord.

(iii) the Mortgagee shall execute such further documents as the Landlord may reasonably require to confirm the foregoing, including documents to remove registered documents from the City's title to the land and the improvements together with a release of the Mortgagee's rights pursuant to this Lease and pursuant to the Mortgage Approval Agreement.

(iv) no document from and by the Leasehold Mortgagee referred to in subsections (i), (ii) and (iii) shall or is intended to release the Tenant from any obligation or debt owing by the Tenant in favour of the Leasehold Mortgagee or in favour of the Landlord.

(v) subject to the Mortgagee's compliance with the foregoing, from and after the expiry of the said sixty day notice period, the Mortgagee shall vacate the Land and the Mortgagee is relieved from its covenants and ceases being liable to perform any obligation of the Tenant under this Lease in favour of the Landlord arising on or after the expiry of the sixty day notice period.

(vi) the said limited right of the leasehold Mortgagee in possession to surrender possession and this Lease to the Landlord shall be personal to the Mortgagee and, notwithstanding any other provision of this Lease, upon the sale or transfer of the mortgaged interest following the realization by the Mortgagee of the security of the mortgage or by the exercise of the power of sale in the mortgage or otherwise, this right is not assignable by the Mortgagee to its assignee of this Lease and this right may not be exercised by the assignee of the leasehold Mortgagee.

(6) The Landlord shall not exercise any of its rights to re-enter the Land or terminate this Lease upon the occurrence of a curable default, as defined and set out in paragraph 19(2), unless and it shall be a condition precedent to any such exercise that:

(a) in the case of a curable default involving the non-payment of rent, same shall not have been remedied after written notice to the Tenant and the leasehold Mortgagee within a period of time being fifteen (15) days longer than that afforded to the Tenant in paragraph 19(2); and

(b) in the case of any other curable default, the leasehold Mortgagee shall not have commenced to cure such curable default within the later of thirty (30) days following receipt of notice from the Landlord and fifteen (15) days after the last day, if any, that the Tenant was permitted to commence curing such curable default, or, having commenced to cure such curable default within such foregoing period of time, the leasehold Mortgagee shall

not have cured such curable default within thirty (30) days from the date that it commences to cure such curable default;

(7) The Landlord shall not exercise any of its rights to re-enter the Land or terminate this Lease upon the occurrence of a non-curable default, as defined and set out in paragraph 19(1), unless and it shall be a condition precedent to any such exercise that the leasehold Mortgagee is provided thirty (30) days written notice that a non-curable default has occurred and that it is the intention of Landlord to re-enter the Land.

(8) If the Landlord shall terminate this Lease on account of any breach or non-performance by the Tenant by re-entry, forfeiture or otherwise, the Landlord shall give written notice to the Mortgagee promptly upon any termination of this Lease being effected, and the Landlord agrees that upon the request of such Mortgagee, if such request is made in writing within sixty days after the giving of the above-mentioned notice by the Landlord, grant to the Mortgagee a new Lease of the Land and improvements between the Landlord as landlord and such Mortgagee or the nominee of such Mortgagee, as tenant for a term equal in duration to the then remaining residue of the term, at the same rent and otherwise upon the same terms and including the same covenants, provisos, agreements and conditions as are contained in this Lease, provided the nominee of such Mortgagee, as tenant, fulfils the requirements specified in paragraph 9(2) above. The failure of the leasehold Mortgagee to exercise its rights under this provision within the time permitted shall conclusively be deemed an abandonment and waiver on the part of the leasehold Mortgagee of all rights to obtain a new Lease and of all rights against the Landlord.

(9) The provisions of paragraph 9 shall be enforceable by a Mortgagee intended to be benefited thereby notwithstanding that such Mortgagee is not a party to this Lease, and whenever requested in writing by the Tenant or any Mortgagee intended to be benefited by the provisions of paragraph 9, the Landlord will enter into an agreement directly with such Mortgagee on the terms of this section eight.

(10) Any re-entry, termination or forfeiture of this Lease by the Landlord made in accordance with the provisions of this Lease as against the Tenant shall be valid and effectual against the Tenant even though made subject to the right of any Mortgagee of the Tenant's interest to cure any default of the Tenant and continue as Tenant under this Lease;

(11) The Tenant shall observe and perform all its covenants and obligations incurred in respect of the leasehold mortgage of the Land and improvements, and shall not suffer or allow any such obligations to be in default, and if any such default shall occur which continues after notice and an opportunity for the Tenant to cure such default the Landlord may, but shall not be obliged to, rectify such default for the account of the Tenant, and any amount paid by the Landlord in so doing, together with all reasonable costs and expenses of the Landlord, shall be reimbursed to the Landlord by the Tenant on demand and may be recovered as if it were rent in arrears.

(12) The definitions in this Lease shall also apply to the Mortgage Approval Agreement contemplated in paragraph 9.

10. TENANT'S USE OF LANDS

(1) Use of Lands.

(a) The Tenant shall use the Lands solely for the purpose of operating a marina and ancillary uses which may include seasonal dry storage of boats. The Tenant may make written application for consent for augmented or alternative uses of the Lands to the Landlord, which may be reasonably

denied, which augmented or alternative uses shall include seasonal or event activities for which permits are required. The Tenant's use of the Lands shall be in compliance with all provisions of municipal by-laws pertaining to use, and the Tenant shall not commit or permit any waste or any nuisance on the Lands, or permit any part of the Lands or Buildings to be used for any dangerous, noxious or offensive trade, occupation or business,

(b) The Tenant covenants to so use the Land and Buildings for the said objects continuously during the term of this Lease and, if, the Tenant ceases, at any time, to make such use of the Land and Buildings, the Landlord may treat this as an event of default under the Lease.

(2) Management and Operation of Buildings.

(a) The Tenant shall operate, manage and maintain the interior and exterior of the Buildings including the structure of same and shall properly and adequately supervise the Buildings, shall supply heat and other necessary building services whenever reasonably required, shall keep the Buildings and the adjacent landscaping and all other improvements upon the Land neat and clean, in a condition satisfactory to the Commissioner of Public Works and Traffic, shall impose and enforce regulations relating to the orderly operation, use and occupancy of space in the Buildings consistent with a good quality harbourfront marina development, and shall generally manage the Buildings as a prudent owner.

(3) Compliance with by-laws.

(a) Throughout the term of this lease the Tenant shall, without cost or expense to the Landlord, comply with all laws, by-laws, regulations and requirements of all government, municipal and other authorities having jurisdiction, and whether compliance involves extraordinary measures, structural repairs or alterations. The Tenant shall likewise observe and comply with the requirements of insurers under policies of public liability, pressure vessel, fire, and any insurance at any time covering the Buildings, unless the requirements are unreasonable or involve a breach of any provision of this lease.

(b) If compliance with any laws, by-laws, regulations or requirements necessitates major physical changes, alterations or additions to the Buildings which are estimated to cost more than $15,000.00, the provisions of paragraph 7 apply.

11. INSURANCE AND INDEMNIFICATION

(1) Liability insurance respecting Buildings.

(a) The Tenant shall keep in force during the Term comprehensive general liability insurance protecting both Landlord and Tenant (including as insured Directors, employees & volunteers) (without any rights of cross claim or subrogation against the Landlord) against claims for personal injury, death, property damage, or third party or public liability claims arising from any accident or occurrence upon or in the Land and the Buildings, from any cause to an amount of not less than $3,000,000 (Three Million Dollars) for personal injury, death, property or other claims in respect of any one accident or occurrence.

(b) In the event that the Tenant applies for and obtains a permit from the City to host an event whereat liquor will be served, the Tenant will, in accordance with City policy, provide evidence to the City of 5,000,000

(Five Million Dollars) for personal injury, death, property or other claims in respect of any one accident or occurrence (including products liability/completed operations provisions and liquor liability coverage).

(2) Fire insurance on Buildings.

The Tenant shall effect, not later than the completion of construction of the Buildings and shall keep in force throughout the Term, insurance on the Buildings and all fixtures and improvements erected on the Land in the joint names of Landlord and Tenant protecting both Landlord and Tenant (without any rights of cross claim or subrogation against the Landlord) from loss or damage caused by

(a) fire and other perils as may from time to time be included in the standard fire insurance additional perils supplementary contract generally available in Ontario;

(b) risks normally insured against in Ontario for a building of construction, location and use similar to the Buildings; and

(c) risks which the Landlord may from time to time reasonably require to be insured against (except earthquakes and hurricanes).

Insurance shall be for the full insurable value of the Buildings and the replacement value of fixtures and improvements (exclusive of the cost of foundations) and shall in any case be for an amount sufficient to prevent the Landlord being considered a co-insurer with the insured. The policies of insurance effected under this paragraph shall, if the Tenant directs, include the interest of any mortgagees or encumbrancers of the Tenant's leasehold interest.

(3) Identity of insurers and policy terms.

The terms of the policies required to be effected by the Tenant under this paragraph or under any other provision of this lease, and the insurers issuing them, are subject to the approval of the Landlord.

(4) Payment of loss under fire policy.

(a) The Landlord agrees that it shall cause any insurance proceeds payable under policies required in the Lease to be administered by the Tenant to be used to reimburse the Tenant for or to pay the costs and expense incurred in the repairing, replacing, rebuilding and restoration of the damage to the Buildings in respect of which the insurance proceeds are payable; to the extent that the Landlord may obtain the proceeds of the insurance policies as the construction progresses, they shall be made available to the Tenant in order that the Tenant may manage the reconstruction and/or repairs.

(b) should the Tenant fail to effect such rebuilding, reinstating and repairing in accordance with the provisions of this Lease within a reasonable time, the Landlord shall be entitled to effect the same itself, retain any insurance moneys against the cost, and recover any balance from the Tenant; any surplus insurance moneys remaining after payment for such work shall be paid to the Tenant if it is not then in default under this Lease;

(c) Any progress payments to be made under this paragraph shall not be made without the submission of a statement, certified by the architect of the party to whom the payments are to be made, stating the estimated cost to complete the work of repair at the date of the certificate, the amount claimed by individual contractors at that date, the amount owing on work already done, and the amount of any payments made at that date for work already done, and verifying the standard and quality of the work already

done, and there shall be retained an amount sufficient to pay the estimated outstanding cost of completion, even though that has the effect that the payment made becomes less than the amount certified to be due.

(d) In making any payment from such account under this clause regard shall be had to the Construction Lien Act and there shall be retained in such account for the period specified in such legislation the amount of any hold-back required. In case of dispute over the outstanding cost or the filing of liens on the Buildings or the Land arising out of the work or repair, there shall be no obligation to make or authorize any progress or lump sum payment until the dispute is settled or the lien discharged, as the duty of repair falls on the Tenant.

(5) Premiums and proof of insurance.

The Tenant shall pay all premiums and costs of all insurance required to be effected by the Tenant under any provision of this Lease, and shall from time to time keep on file with the Landlord certified copies of insurance policies, renewal contracts or as may be requested, and in particular shall submit to the Landlord before the expiration of every current policy evidence of the renewal of the policy or the issuance of a replacement policy, and shall promptly notify the Landlord of any cancellation or intended cancellation by any insurer of any policy or any circumstances known to the Tenant materially affecting its coverage. The Tenant shall not cancel any policy of insurance without the prior written consent of the Landlord. Each policy shall provide that no cancellation is effective without prior notice by the insurer to the Landlord.

(6) Landlord's right to insure.

If the Tenant defaults on any of its obligations under this Lease regarding insurance the Landlord may, but is not obliged to, place any insurance at the cost and expense of the Tenant, or pay any arrears of premium, and any expense incurred by the Landlord shall be reimbursed to it by the Tenant on demand.

(7) Exemption of Landlord from liability.

The Landlord is not liable or responsible in any way for personal or consequential injury of any kind that is suffered or sustained by the Tenant, or any employee, agent or invitee of the Tenant, or any other persons who may be on the Land, or for any loss, theft, damage or injury to any property on the Land however caused.

(8) Indemnity of Landlord by Tenant.

The Tenant shall assume the defence of and indemnify the Landlord and its officers and agents against all claims by any person arising from the operation of the Buildings or any defect or want of repair therein or any want of maintenance thereof or anything done or omitted on or in the vicinity of the Land (including any adjoining sidewalks) or any other thing, whether arising from any breach or default or from any negligence by the Tenant, its agents, contractors, employees, invitees or licensees, or from any accident, injury or damage or any other cause; and the indemnity extends to all costs, counsel fees, expenses and liabilities which the Landlord may incur with respect to any claim.

12. DAMAGE OR DESTRUCTION OF THE BUILDINGS

(1) Rebuilding.

If, during the term of the Lease, the Buildings or any part thereof, is totally or partially destroyed by any cause, the Tenant, if in the opinion of the Landlord or Tenant's Architect it is practicable and economic to rebuild or restore the

Buildings, shall at its own expense, repair, replace, rebuild or restore the Buildings to their original condition with all reasonable diligence.

(2) Termination by Landlord in certain events.

If the Buildings is ~~destroyed~~ or ~~damaged, and~~ in the opinion of the Landlord or Tenant's Architect it should not be re-built, the Landlord may, by written notice given to the Tenant within ninety days after the occurrence of the destruction or damage, terminate this Lease, such termination to take effect thirty (30) days after the notice.

(3) Rent not to abate.

~~Subject to subsection (5) below~~, the Tenant's obligation to pay rent and all other sums payable by the Tenant under the provisions of this Lease is not affected, nor shall rent abate or be diminished, in the event of damage to or destruction of the Buildings or any fixtures or improvements upon the Land, regardless of the cause or extent thereof, and the Tenant hereby waives the provisions of any statute or rule of law to the contrary now or hereafter in effect. [no substantive S.J]

(4) In the event of termination of this Lease, rent and all other charges affecting the Land shall be paid and adjusted to the date of termination.

13. REPAIRS

The Tenant shall throughout the Term at its own expense:

(a) keep in good and tenantlike repair, as is fitting to a first rate Buildings and Marina, the Buildings and all structures, improvements and fixtures at any time erected upon the Land (including all building equipment. fixtures, elevators, heating, air-conditioning and plumbing apparatus, and the sidewalks, parking area and electric lighting fixtures and equipment) whether the repairs are interior or exterior, structural or non-structural, ordinary or extraordinary, foreseen or unforeseen, excepting from the standard of repair reasonable wear and tear to the extent only that reasonable wear and tear is not inconsistent with maintenance in good order and condition of the Buildings generally. Repairs include replacements and renewals when necessary. All repairs made by the Tenant shall be equal in quality and class to the original work. To the extent that repairs involve structural or major portions of the building or a cost (as estimated by the Tenant's Architect) in excess of $15,000.00, all the provisions of paragraph 7 apply thereto;

(b) maintain the Buildings and all fixtures and improvements from time to time on the Land, including adiacent sidewalks in a clean and orderly condition, free from any accumulation of dirt, rubbish, water, snow and ice; For clarity this does not include the pathway which is the landlords responsibility to maintain.

(c) keep or cause to be kept in good order and condition, reasonable wear and tear excepted, all chattels located in or about the Buildings and belonging to the Tenant, and

(d) promptly upon notice in writing from the Landlord make and do all repairs and maintenance which it has hereunder covenanted to perform.

14. CONSTRUCTION LIENS

The Tenant shall not permit any lien under the Construction Lien Act or any like statute to be filed or registered against the Land, the Buildings or any fixtures or Improvements on the Land, by reason of work, labour, services or materials supplied or claimed to have been supplied to the Tenant or anyone holding any interest in any part thereof through or under the Tenant. If any lien is at any time filed or registered the Tenant shall procure

registration of its discharge within twenty days after the lien has come to its notice or knowledge; provided that if the Tenant desires to contest in good faith the amount or validity of any lien and has so notified the Landlord, and if the Tenant has deposited with the Landlord or with the trustee, or paid into court to the credit of any lien action, the amount of the lien claimed plus a reasonable amount for costs, then the Tenant may defer payment of the lien claim for a period of time sufficient to enable the Tenant to contest the claim with due diligence, provided always that neither the Land nor the Buildings or any part thereof, nor the Tenant's leasehold interest therein thereby becomes liable to forfeiture or sale.

The Landlord may, but is not obliged to, discharge any lien filed or registered at any time if in the Landlord's judgment the Land or the Buildings or any part thereof or the Tenant's interest therein becomes liable to any forfeiture or sale or is otherwise in jeopardy, and any amount paid by the Landlord in so doing, together with all reasonable costs and expenses of the Landlord, shall be reimbursed to the Landlord by the Tenant on demand together with interest at the rate of six per cent per annum from the date incurred until paid, and may be recovered as rent in arrears. Nothing herein contained authorizes the Tenant, or implies any consent or agreement of the Landlord, to subject the Landlord's estate and interest in the Land and Buildings to any lien.

15. INSPECTION BY LANDLORD

(a) The Landlord, its employees and agents are entitled to inspect the Buildings and all fixtures and Improvements upon the Land at any time during usual business hours for the purpose of ascertaining their condition or state of repair or of verifying that the provisions of this Lease are being complied with, and the Tenant shall, upon reasonable notice, permit access for this purpose.

(b) The Tenant hereby grants (during the term of this Lease and any renewal thereof) to the Landlord (in its capacity as a municipality), the right, interest and Easement in, over, along and upon the Land,

(i) to enter, inspect, alter, repair, remove, replace, reconstruct, install, construct, maintain, and keep in good condition, the facilities, works or matters required as a condition of and as recorded within any Site Plan Agreement for the Land filed with the City of Hamilton Clerk's Department and registered on title to the Land;

(ii) to clear obstructions so as to permit the exercise and enjoyment of this right, interest, and Easement;

(iii) for the servants, agents, contractors, workers and other persons duly authorized by the Landlord at all reasonable times and from time to time to pass and repass with all plant machinery, material, vehicles and equipment which may be necessary or incidental to the exercise and enjoyment of this right, interest, and Easement.

(c) Nothing in the said Easement shall be deemed to grant the Landlord a right to exercise its rights in respect of those portions of the building on the Land that are not regulated by section 41 of the Planning Act, R.S.O. 1990.

(d) The Landlord shall give the Tenant notice in writing of its intention to enter the Land pursuant to this provision of the Lease.

16. ASSIGNMENTS AND OTHER DEALINGS BY LANDLORD

(1) Right of Landlord to assign or encumber. Nothing contained in this Lease prohibits or restricts the Landlord or implies any prohibition or restriction from assigning, syndicating, mortgaging, encumbering or otherwise dealing with its reversionary

interest in the Land and all its interest in the Buildings under this Lease, but subject always to this Lease and the rights of the Tenant hereunder.

(2) Certificate by Tenant. The Tenant shall promptly, whenever from time to time requested by the Landlord, execute an acknowledgment or certificate in favour of any actual or prospective purchaser, mortgagee or encumbrancer of the Landlord's interest, acknowledging or certifying the status of this Lease, any modifications thereof, any breaches of covenant known to the Tenant and the state of the rent account, with the intent that any acknowledgment or certificate may be relied upon by any person to whom it is addressed.

17. ASSIGNMENT AND OTHER DEALINGS BY TENANT

(a) Subject to clause (d) below, the Tenant shall not assign or sublet this Lease, the Buildings and/or the Land and/or any portion of them without the prior written consent of the Landlord which ~~may be unreasonably denied~~ will not be unreasonably denied.

(b) The Tenant certifies to the Landlord that there 100 issued shares in the Tenant company of which shares John Alexander (Sandy) MacDonald ~~and Alice MacDonald are~~ is the holders. For the purposes of this clause, assignment shall mean assignment or sublet of the lease and/or the assignment or share transfer of Scott-MacDonald Limited shares, ownership or management responsibility.

(c) The Tenant acknowledges that the Landlord has been induced to enter into the herein lease with the Tenant based on the identity of John Alexander (Sandy) MacDonald ~~and Alice MacDonald~~ and ~~their~~ his ownership directly or through corporate identities controlled by ~~them~~ him of all of or a substantial portion of the Tenant company. notwithstanding any contrary provision of any statute.

(d) The Tenant may mortgage or encumber its leasehold interest under this Lease subject to and in accordance with the provisions of paragraph 9 of this Lease.

18. NOTICES

Any notice, election, demand or exercise of option to which a party to this Lease is entitled or required to give is deemed to have been duly given to any other party if in writing and delivered personally to the party (if the party is an individual) or to a partner (if the party is a firm or partnership) or to some responsible officer of the party (if the party is a corporation) and addressed as follows:

if to the Landlord, to the Landlord as follows:

The Corporation of the City of Hamilton
Attention: City Clerk
71 Main Street West
Hamilton, Ontario L8P 4Y5

if to the Tenant, to the Tenant as follows:

Scott-MacDonald Limited
Box 83021
Jamesville Post Office
Hamilton, Ontario L8L 8E8
Attention: John Alexander MacDonald

Notice is deemed to have been given twenty-four hours from the time when it was mailed. A party may from time to time change the address to which notice is to be sent by mail by giving written notice to the other parties hereto.

19. DEFAULT OF TENANT AND REMEDIES OF LANDLORD

(1) Bankruptcy or insolvency of Tenant (Non-Curable Defaults).

If during the Term of this Lease:

(a) the Tenant makes an assignment for the benefit of creditors, or assigns in bankruptcy or takes the advantage in respect of its own affairs of any statute for relief in bankruptcy, moratorium, settlement with creditors, or similar relief of bankrupt or insolvent debtors, or if a receiving order is made against the Tenant or if the Tenant is adjudged bankrupt or insolvent, or if a liquidator or receiver of any property of the Tenant is appointed by reason of any actual or alleged insolvency or any default of the Tenant under any mortgage or other obligation, or if the interest of the Tenant in the Land or Buildings becomes liable to be taken or sold under any writ of execution or other like process which remains undischarged for thirty days,

then such occurrence is deemed to be a breach of this Lease, and at the option of the Landlord this Lease ,upon having provided notice as set out herein and in paragraph 9(4), may be terminated and expires as fully and completely as if the date of the happening of the default were the date herein fixed for the expiration of the Term, and the Tenant shall quit and surrender the Land and the Buildings to the Landlord but remains liable for any loss or damage suffered by the Landlord.

(2) Re-entry on certain defaults by Tenant (Curable Defaults).

If:

(a) the Tenant defaults in the payment of rent or any other sums required to be paid to the Landlord by any provision of this Lease, and the default continues for thirty (30) days after notice thereof given by the Landlord to the Tenant: or

(b) the Tenant defaults in performing or observing any of its other covenants or obligations under this Lease, or any contingency occurs which by the terms of this Lease constitutes a breach hereof or confers upon the Landlord the right to re-enter or forfeit or terminate this Lease, and the Landlord has given to the Tenant notice of the default or the happening of the contingency, and at the expiration of forty-five (45) days after the giving of the notice the default or contingency continues to exist (or, in the case of a default or contingency which cannot with due diligence be cured within a period of forty-five (45) days, the Tenant fails to proceed promptly after the giving of notice even though it thereafter proceeds with due diligence to cure the same); or

(c) this lease expires or is forfeited or is terminated by any other provision contained in it,

the Landlord or the Landlord's agents or employees authorized by it may, upon having complied with notice provisions set out herein and in paragraph 9(4), immediately or at any time thereafter re-enter the Land and the Buildings, may remove all persons and their property therefrom either by summary eviction proceedings or by any other suitable action or proceeding at law, equity or otherwise without being liable therefor, and may repossess and enjoy the Land, requiring that all Buildings and all fixtures and Improvements upon the Land be removed, without the re-entry and repossession working a forfeiture or waiver of the rents to be paid and the covenants to be performed by the Tenant up to the date of re-entry and repossession.

(3) Landlord's right to cure defaults.

The Landlord has the right at all times to enter the Land and Buildings for the purpose of curing any default of the Tenant, and no such entry is deemed to work a forfeiture or termination of this Lease, and the Tenant shall permit the entry. The Landlord shall give not less than seven days' notice to the Tenant of its intention to enter for this purpose but may enter upon a shorter period of notice or without notice where in the Landlord's reasonable judgment there is real or apprehended emergency or danger to persons or property, or where any delay in remedying the default would or might materially prejudice the Landlord. The Tenant shall reimburse the Landlord upon demand for all expenses incurred by the Landlord in remedying a default, together with interest thereon at 6% per annum from the date incurred until paid. The Landlord is under no obligation to remedy any default of the Tenant, and does not incur any liability to the Tenant for any action or omission in the course of its remedying or attempting to remedy any default unless the act amounts to intentional misconduct or gross negligence of the Landlord.

(4) Remedies of Landlord are cumulative.

The remedies of the Landlord specified in this Lease are cumulative and are in addition to the remedies of the Landlord at law or equity. No remedy is deemed to be exclusive, and the Landlord may from time to time have recourse to one or more or all of the available remedies specified herein or at law or equity. In addition to the remedies provided in this Lease the Landlord is entitled to restrain by injunction any violation or attempted or threatened violation by the Tenant of any of the covenants hereof.

(5) Effect of waiver by Landlord.

The failure of the Landlord to insist upon the strict performance of any covenant hereof does not waive the covenant, and the waiver by the Landlord of any breach of any covenant does not waive the covenant in respect of any other breach. The receipt and acceptance by the Landlord of rent due hereunder with knowledge of a breach of covenant by the Tenant does not waive the breach. No waiver by the Landlord is effective unless made in writing.

20. COMPLIANCE WITH LAWS GENERALLY

(a) In addition to complying with the requirements of the Lease, the Tenant shall ensure, in its and its permitted Tenants' use and occupation of the Land and Buildings and other fixtures and Improvements on the Land, and in the conduct of its business thereon, and in the maintenance and repair thereof, and as to all other matters or things pertaining to the Land, compliance with all laws, by-laws, statutes, orders and regulations of all governmental authorities having jurisdiction.

(b) The Tenant shall comply with the Navigable Waters Protection Act, the Ontario Water Resources Act and the Conservation Authorities Act, and without limiting the generality of the foregoing, Regulation 151 of the Conservation Authorities Act, and the Environmental Protection Act, and all other environmental protection legislation. The Tenant acknowledges that the said regulation obligates the Tenant to, amongst other matters to apply for and receive the permission of the Hamilton Region Conservation Authority before the Tenant may: construct any building or structure: place or dump any fill on the premises or the abutting water lots (whether such fill is already in the vicinity or brought into the vicinity); and straighten, change, divert, or interfere in any way with the existing channel of a river, creek, stream or watercourse on or about the Lands.

(c) Nothing herein contained derogates or limits the authority of the Landlord in its capacity as a municipality, from exercising its rights under municipal by-laws, the Municipal Act, the Planning Act, or any other legislation.

(d) The Tenant acknowledges and agrees that any approval of the Landlord herein to matters referred to in this Lease shall not and are not intended to impose any liability upon the City, on the sufficiency of the matters approved for any purpose or their compliance with the rules, by-laws, regulations and laws of the municipality or of any other level of government or regulatory authority and in particular are not intended and do not waive compliance by the Tenant with any of the matters that must be paid and/or fulfilled at law in order to receive a building permit, to commence construction on the subject land and to comply with the Zoning By-law.

(e) The Tenant acknowledges to the Landlord that the Tenant realizes that in addition to the rent payable in this Lease, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Tenant; in particular, without limiting the generality of the foregoing, the Tenant realizes that he may also be required after the Lease to it:

i) to pay municipal, realty and business taxes;

ii) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;

iii) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;

iv) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;

v) to pay building permit application fee;

vi) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Landlord's property;

vii) to pay for the connection of all utilities to the premises;

viii) to prepare and obtain approval of site plan(s) pursuant to The Planning Act prior to the issuance of a building permit and to enter into a Site Plan Agreement, if required by the municipality;

ix) to pay Development Charges to the City, the Region and the Boards of Education.

21. BINDING EFFECT

This Lease and the covenants and agreements herein contained extend to and enure to the benefit of and are binding upon the Landlord, the Tenant and their respective heirs, executors, successors and assigns, according to the purport and intent of their respective covenants and agreements, but subject to the provisions of paragraphs 16 and 17.

22. GENERAL

(a) This Lease shall be registered by the Tenant at its cost on title to the Land described herein forthwith after the execution of this Lease and prior to the commencement of construction of the Buildings.

(b) The Tenant acknowledges that there are no covenants, representations, warranties, agreements or conditions, expressed or implied, collateral or otherwise, forming

part of or in any way affecting or relating to this Lease save as expressly set out in this Lease and that this Lease constitutes the entire agreement between the Landlord and the Tenant and may not be modified except by subsequent agreement in writing of equal formality hereto executed by the Landlord and the Tenant.

(c) Nothing in this Lease shall be construed, interpreted or deemed to limit or fetter the jurisdiction, authority or rights at law of the Landlord in its capacity as a municipality and any decision of the Landlord in its capacity as a municipality shall not be deemed as contrary to the Landlord's obligations to the Tenant under this lease.

(d) This Lease may be executed in several counterparts each of which when executed by the parties shall be deemed to be an original and such counterparts shall together constitute one and the same instrument.

In WITNESS Whereof, the parties' have executed this Lease with their corporate seals affixed hereto and attested by the signatures of their duly authorized officers.

SCOTT-MCDONALD LIMITED

Date: April 13/98 _____

John Alexander MacDonald, President
I have authority to bind the corporation

THE CORPORATION OF THE CITY OF HAMILTON

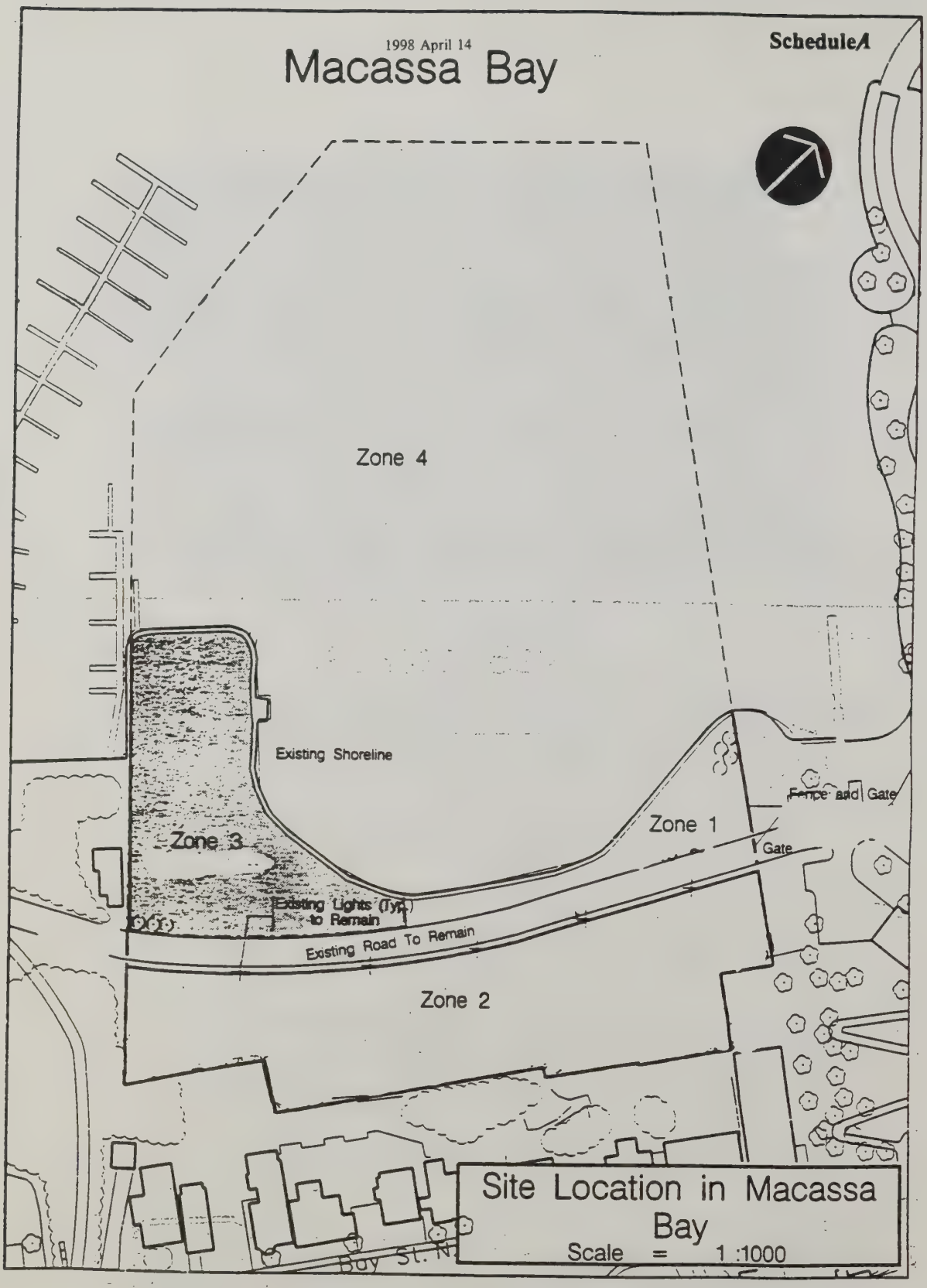
Date: _____ _____

Robert M. Morrow, Mayor

Date: _____ _____ c/s

J. J. Schatz, City Clerk

N:\dap\mcdonald.draft


1998 April 14
Macassa Bay
Schedule A
Zone 4
Existing Shoreline
Zone 3
Zone 1
Fence and Gate
Gate
Existing Lights (Typ.) to Remain
Existing Road To Remain
Zone 2
Site Location in Macassa Bay
Scale = 1 :1000

Schedule B - Tenants Commitments to Improvements:

Zones 1,2 & 3	All abandoned boats and debris will be removed from the site by July 1, 1998.
Zone 1	This area shall be kept free of boats and other equipment between launch and haul out except for small boats kept by their owners on trailers and launched in the adjacent public boat ramp.
Zone 2	This area is located between the existing pathway and private property to the east. The tenant shall reclad the workshop in this area within 18 months of the execution of this lease in a manner and in accordance with a plan to be approved in the manner in which site plans are approved by the City of Hamilton. The tenant shall reclad or rebuild the office and store located in Zone 2 within 24 months of the commencement of this lease in accordance with a plan to be approved in the manner in which site plans are approved by the City of Hamilton.. The tenant will initiate a program immediately after commencement of the lease to encourage boat owners to improve the appearance of boat cradles that are not folding cradles.
Zone 1,2,&3	The landlord and the tenant shall share equally in the cost of purchasing portable fencing of the kind now in use at the former Plastimet site and this portable fencing shall be put in place by the landlord at each edge of the pathway during the period of seasonal storage of boats in a manner that will permit access to the boats and facilities.

The tenants obligations under this schedule shall be positive covenants binding on the tenant and default by the tenant in the due performance of these provisions shall be considered default under the lease.

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Committee of the Whole\City Council
Thursday, 1998 April 16
10:00 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL
MAY 1 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor Morrow called the meeting to order.

* * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Copps, Charters, Jackson. -9.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - TENTH REPORT

Grants

Section 1 Re: 1998 General Grant Submissions

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Charters, Jackson. -8.

NAYS: Alderman Copps. -1. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Charters, Jackson. -8.

NAYS: Alderman Copps. -1. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 4:30 o'clock p.m.

* * * * * * * * * * * * *

Taken as read and approved.

MAYOR R. MORROW

J. J. Schatz
1998 April 16
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **TENTH** Report for 1998 and respectfully recommends:

1. That the 1998 General Grant Recommendations as outlined in Appendix "A", Column 3, attached hereto, be approved in the total amount of $213,260 and funded from within the Grants Centre CH200XX.

   Recorded vote.

   YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Charters, Jackson. -8.

   NAYS: Alderman Copps. -1. **CARRIED.**

2. Bill E-005 A By-law to Confirm the Proceedings The Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 April 16

THE CORPORATION OF THE CITY OF HAMILTON

1998 GENERAL GRANT SUBMISSIONS

Appendix "A" as referred to in Section 1 of the Tenth Report of the Committee of the Whole for 1998

Item No. (1)	Name of the Organization (2)	1998 Approved Grant (3)	1998 Requested Grant (4)	1997 Grant (5)
1	Assoziazione Nazionale Combattentie Reduci - to help in continuing renovations to our club	Note 1	$5,000	$1,000
2	**Brain Injury Services of Hamilton** - capital for new equipment	Nil	**$5,000**	
3	Canadian Ballet Youth Ensemble - to help defray costs of Nutcracker Ballet & Festival	Nil	$100,000	$10,000
4	**Canadian Ballet Youth Ensemble-Nutcracker Festival** - to support the Nutcracker Festival	$ 10,000 *** Subject to F/S	**$20,000**	
5	**The Canadian Club of Hamilton** - to help defray costs for school aged children to participate in luncheon events	$ 1,000	**$9,500**	
6	**Canadian Football Hall of Fame and Museum** - to help defray costs of major exhibit renovations (8,000 sq. ft.)	Note 2	**$10,000**	
7	**The Canadian Red Cross Society** - to assist in the sponsorship in First Aid training for minnor sports team coaches	Nil	**$4,500**	
8	**The Canadian Red Cross Society-Jazz Wine & Roman** - to sponsor "Jazz Wine & Romance"	Note 3	**$5,000**	
9	Central City Children's Choir - to subsidize the costs of the choir	$ 1,500 *** Subject to F/S	$15,000	$1,500
10	Comunita Racalmutese Maria SS Del Monte Ontario Inc. - to cover operating expenses and yearly community festivities	$ 5,000	$20,000	$5,000
11	**The Community Centre for Media Arts** - to implement volunteer program	Nil	**$9,379**	
12	Concession Street B.I.A. - to help offset festival costs and programming	$ 1,000	$3,000	$1,000
13	Conqueror II Drum & Bugle Corps - to enable a two-week bus tour	$ 6,000	$9,999	$6,000
14	Diverse Community Achievement Centre of Hamilton & Region Inc.	$ 2,000	$20,000	$3,000

See Notes at end of Appendix

THE CORPORATION OF THE CITY OF HAMILTON

1998 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1998 Approved Grant (3)	1998 Requested Grant (4)	1997 Grant (5)
15	**Earth Day Hamilton - request for operating costs** **- request for capital**	Note 4 Note 1 **$ -**	**$96,340** **$50,000** **$146,340**	
16	The English-Speaking Union of Canada - to help defray operating costs	Nil	$1,900	$5,000 (capital)
17	**Flamigos** - to purchase care bag items and liase with others	Nil	**$5,000**	
18	**Friends of Beemer Park** - to buy playground equipment	Nil	**$700**	
19	**Good Shepherd Centres** - to offset the cost of paying for stewards at dinner	Nil	**$1,800**	
20	**Greater Hamilton Chinese Dragon Boat Race** - to defray costs of equipment rental and supplies	Nil	**$4,000**	
21	Greek Canadian Orthodox Church - Grecian Festival	$ 1,800 *** Subject to F/S	$2,800	$1,800
22	Hamilton All Star Jazz Band Inc. - capital for music, uniforms, equipment and operating funds	Note 1	$6,000	$4,000
23	Hamilton Aquatic Water Polo Club - to expand, for summer program for kids and tournament	Nil	$9,000	
24	Hamilton Artists Inc. - to be used for programming and administrative expenses	$ 7,000	$9,000	$7,000
25	The Hamilton Association for Community Living - costs in developing Phase II & train Leisure Facilitators	Note 1	$9,950	
26	**The Hamilton Beach Preservation Committee** - to assist in 175th anniversary celebrations	Note 3	**$5,000**	
27	**Hamilton Board of Education City-Wide Choir** - to help defray operating costs	Note 3	**$4,600**	
28	Hamilton Cardinals - to help defray operating costs	$ 2,400	$2,400	$2,400

See Notes at end of Appendix

THE CORPORATION OF THE CITY OF HAMILTON

1998 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1998 Approved Grant (3)	1998 Requested Grant (4)	1997 Grant (5)
29	Hamilton Children's Choir - to assist in operating expenses	$ 700 *** Subject to F/S	$1,500	$700
30	Hamilton Concert Band - to help defray operating costs	$ 2,630	$3,000	$3,000
31	Hamilton District Baseball Association - to help defray expenses of associations	$ 4,000 *** Subject to F/S	$9,000	$4,000
32	**Hamilton & District Extend-a-Family** - to provide services to children with disabilities	Nil	**$1,721**	
33	Hamilton and District Labour Council - to help offset costs of parade and picnic	$ 1,000 *** Subject to F/S	$1,000	$1,000
34	Hamilton Folk Arts Heritage Council - to help expenses of It's Your Festival	$ 10,000	$50,000	$10,000
35	Hamilton Gallery of Distinction - to offset costs of holding annual dinner	$ 3,000	$5,000	$5,000
36	Hamilton Lacrosse Association - to develop field lacrosse program	$ 5,000	$15,000	$5,000
37	Hamilton Minor Football Association - to defray operating expenses	$ 9,000	$10,000	$9,000
38	**Hamilton Music Scene '98** - expenses	Note 4	**$174,134**	
39	Hamilton Pontiacs Softball Team - to help cover costs of park rental for season	$ 500 *** Subject to F/S	$1,000	
40	The Hamilton Safety Council - to maintain Safety Programs	$ 18,000	$34,000	$19,000
41	Hamilton Theatre Inc. - operating costs	$ 7,500	$9,867	$7,500

See Notes at end of Appendix

THE CORPORATION OF THE CITY OF HAMILTON

1998 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1998 Approved Grant (3)	1998 Requested Grant (4)	1997 Grant (5)
42	Hamilton Visual Art Centre - to cover operating costs	$ 500 *** Subject to F/S	$2,123	$1,000
43	Hamilton Y.W.C.A. Services for the Developmentally Handicapped (formerly called S.E.L.F. and administered by Catholic Family Services - to cover cost of C.A.S.S. program	$ 500 *** Subject to F/S	$1,000	$500
44	The India Canada Society - to help defray operating costs	$ 1,000 *** Subject to F/S	$5,000	$1,000
45	The John Laing Singers - general operating support	$ 3,000	$4,000	$3,000
46	Junior Achievement - to help defray operating costs	$ 5,000	$7,000	$5,000
47	**Kenilworth Business Association** - to replace Christmas lights	Note 5 *** Subject to F/S	**$18,088**	
48	**Kids Need Both Parents** - to help defray operating expenses	$ 1,000	**$2,800**	
49	Kiwanis Music Festival - to help defray expenses	$ 2,500 *** Subject to F/S	$2,500	$2,500
50	Mom's Camp - to pay for gifts to mom's at the camp	$ 1,000	$1,080	$1,000
51	Music in the City - for operating expenses	$ 2,000 *** Subject to F/S	$10,000	$2,000
52	Native Indian/Inuit Photographers' Association - to be used towards operating and programming	$ 4,750 *** Subject to F/S	$10,000	$4,750
53	91st Highlanders Athletic Association - to assist in event operations	$ 39,000	$50,000	$40,000
54	**Ontario Emergency Helicopter Association** - expenses incurred in order to try obtaining helicopter	Nil	**$4,660**	

See Notes at end of Appendix

THE CORPORATION OF THE CITY OF HAMILTON

1998 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1998 Approved Grant (3)	1998 Requested Grant (4)	1997 Grant (5)
55	Ontario Visually Impaired Golfers Corp - to provide lessons and privileges to play golf	$ 2,000	$2,500	$2,000
56	Ontario Workers Arts & Heritage Centre - Operating	Note 6	$225,000	
57	The Players' Guild of Hamilton Inc. - to help defray operating costs	$ 3,000	$5,000	$3,000
58	Poseidon Aquatic Club - to assist with general expenses	$ 480	$1,000	$480
59	Ridge Raiders Drum & Bugle Corps - to offset operating expenses	$ 6,000 *** Subject to F/S	$12,000	$6,000
60	**The Scaffold Theatre Project** - to pay for technical and support staff	Nil	**$9,500**	
61	**Serbian Folklore Ensemble "KOLO"** - for general operating costs	Note 3 *** Subject to F/S	**$7,500**	
62	**Steel City Sound Youth Ensemble** - to help offset of operating	Nil	**$5,000**	
63	Symphony Hamilton - to offset operating costs	$ 6,000	$14,000	$6,000
64	**Trinidad & Tobago Assoc. of Hamilton-Wentworth** - to cover operating expenses	$ 500	**$7,500**	
65	Volunteer Centre of Hamilton & District - to offset expenses for Volunteer week	$ 8,000	$10,000	$8,000
66	Wesley Urban Ministries-Kirkendall-Strathcona Neighbourhood House - to help run programs	$ 25,000	$25,000	$25,000
67	Wesley Urban Ministries-Wesley Centre - to help with operating expenses	See above item 66 Recommendation	$25,000	
	SUB-TOTAL of Operating Grants	$ 210,260	$1,227,341	$223,130

See Notes at end of Appendix

THE CORPORATION OF THE CITY OF HAMILTON

1998 GENERAL GRANT SUBMISSIONS

Appendix A

Item No. (1)	Name of the Organization (2)	1998 Approved Grant (3)	1998 Requested Grant (4)	1997 Grant (5)
	CAPITAL GRANTS			
68	Hamilton Filipino Community Centre - to restore the building	0	$27,500	$12,500 (capital)
69	Hamilton Victoria Club - to assist in cost of new ceiling	Note 1	$9,900	$5,000 (capital)
70	**Lakeland Community Centre** - Renovations	Note 7	**$100,000**	
71	Reach Forth Ministries - equipment	1,000	$8,000	$1,000
	SUB-TOTAL of Capital Grants	$ 1,000	$145,400	$18,500
	SUB-TOTAL of Operating & Capital Grants	$ 211,260	$1,372,741	$241,630
	LATE GRANT REQUESTS			
72	Centre D'Accueil Hamilton-Wentworth - to offset development and local improvement charges	Nil	244,867	
73	Hamilton Cultural & Ethnic Mosaic Association - to assist in organizing Kaleidoscope parade & festival	$ 2,000 *** Subject to F/S	$8,500	
74	Hamilton Federation of Boxing - to asist with operating costs and repairs and purchase of equipment	Nil	$9,920	
	SUB-TOTAL of Late Grant Request	$ 2,000	$263,287	
	Total Requested Amount	$ 213,260	$1,636,028	$241,630
	Unallocated General Grant Funds	$ 7,000		

BOLD INDICATES FIRST TIME APPLICANT

INDICATES LATE APPLICATION

Notes to the 1998 General Grant Recommendations

Note 1 Refer to Capital Grants Process
Note 2 Refer to the Federal Minister of Canadian Heritage
Note 3 Refer to the Mayor's Office
Note 4 Refer to the Mayor's Office, Economic Development and Recreation Departments
Note 5 Refer to the Mayor's Office, and Community Development Department
Note 6 Refer to Capital Budget
Note 7 Refer to Special Ward Committee

See Notes at end of Appendix

URBAN/MUNICIPAL
CA4 ON HBL AO5
M21
1998

Minutes of Hamilton City Council
Tuesday, 1998 April 28
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL
MAY 6 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was played.

* * * * * * * * * * * *

Major Roland Shea, Salvation Army led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow was presented with a Red Shield Flag from the Salvation Army.

* * * * * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Jack Harvey.

* * * * * * * *

Mayor R. M. Morrow presented a Plaque to the Red Petunia Sponsors. In attendance were the following Sponsors:

Frank Butty - Frank Butty Ltd.
Stan Genno - 900 CHML/CJXY

Lynn Longwill - The Hamilton Spectator
Don Dussault - Imperial Oil Products and Chemical Division
Bruce Dykstra - Hamilton District Christian High School
Jim Vanderkooy - Hamilton District Christian High School
Denise Dickie - ONTV
Cor Vanderkruk - Connon Nurseries

* * * * * * * *

Mayor R. M. Morrow presented Certificates of Recognition to the following who served as Citizen Members on City Boards\Committees:.

Gordon Birk - Hamilton Historical Board
Peter Burns - Hamilton Public Library Board
Michael Cuberovic - Keep Hamilton Clean Committee
Wanda Dzierzbicki - Hamilton Status of Women Sub-Committee
Beth Fraser - Hamilton Status of Women Sub-Committee
Michaelene Galan - Property Standards Committee
Colleen Howey - Hamilton Status of Women Sub-Committee
Lorne Kenyon - New Mum Show Sub-Committee
Stephen Kostyshyn - Hamilton Historical Board
Jasper Kujavsky - Hamilton Entertainment and Convention Facilities Inc.
Bruce Law - Committee of Adjustment
Nancie Mleczko - Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited
Alan Stacey - Hamilton Region Conservation Authority
Susan Smith - Hamilton Status of Women Sub-Committee
May Toth - Hamilton Status of Women Sub-Committee
John Vinken - Property Standards Committee
Berta Walton - Municipal Non-Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited
Elizabeth Wonnacott - Hamilton Status of Women Sub-Committee
Gerri Yachetti - Hamilton Status of Women Sub-Committee

ADOPTION OF MINUTES

The minutes of the meetings held: 1998 April 9 (special meeting) and 1998 April 14 (regular meeting) were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1998 April 15 from W. A. Thomas, General Manager, Hydro-Electric Commission of the City of Hamilton, Re: Change in Commission Chair Person.

   Received.

2. Application dated 1998 April 8 from Daniel Ford, 103 Victoria Avenue South, Hamilton, Ontario, for a change in zoning from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for 27 Albert Street, Hamilton, Ontario.

   Received.

3. Application dated 1998 April 2 from H.G.H. Developments Ltd., 8 Main Street East, Suite 202, Hamilton, Ontario, for a change in zoning from "JJ" (Restricted Light Industrial) District to "HH" (Restricted Community Shopping and Commercial etc.) District for 237-247 Centennial Parkway North, Hamilton, Ontario.

   Received.

4. Application dated 1998 April 2 from Mr. J. Zaborsky, c/o Bestco Construction Corp., 62 Earl Street, Hamilton, Ontario, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at the south-west limits of Annabelle Street, Hamilton, Ontario, and Subdivision Application 25T-89002 (Annabelle Place) for 8 lots for single family dwellings.

   Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, and the Report of His Worship Mayor R. M. Morrow, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - EIGHTH REPORT

Section 5 Re: Demolition of 49 Royal Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Kiss, Copps. -2. **CARRIED.**

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Section 7 Re: Demolition - 1478 Upper James Stsreet

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Kiss. -1. **CARRIED.**

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Section 12 Re: 1650 Upper Ottawa Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Charters, Jackson. -2. **CARRIED.**

* * * * * * * * * * * * * * * *

Section 13 (d) (e) and (f) Re: Mohawk College - 135 Fennell Avenue West

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly. -14.

NAYS: Aldermen Copps, D'Amico, O'Sullivan. -3. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - TWELFTH REPORT

Section 3 Re: Pedestrian Walkway - Eaton's\Hamilton Farmers Market\Jackson Square
Motion to close the debate

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Mayor Morrow, Alderman Copps. -2. **CARRIED.**

* * * * * *

Section 3 Re: Pedestrian Walkway - Eaton's\Hamilton Farmers Market\Jackson Square

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Mayor Morrow. -1. **CARRIED.**

* * * * * * * * * * * * * * * *

Section 8 Re: G. C. Duke Equipment Ltd., Burlington - Purchase Order

It was moved by Alderman Anderson and seconded by Alderman Wilson that Section 8 of the Twelfth Report of the Finance and Administration Committee be amended by deleting

"to be financed through T.B. McQueston Park Development, Capital Funds Account No. CF629254005 in the fifth and sixth lines; and, "to be financed through the Turner Park Development Phase II, Capital Funds Account No. CF629754034" in the ninth, tenth or eleventh lines and that the following section be added

(b) That the Finance and Administration Committee determine the method of financing not to include financing from T.B. McQueston Park Development, Capital Funds Account No. CF629254005 and Turner Park Development Phase II Capital Funds Account No. CF 629754034. **CARRIED.**

* * * * * * * * * * * * * * * *

Section 14 Re: Hamilton Harbour Commissioners - Memorandum of Agreement

It was moved by Alderman Charters and seconded by Alderman Wilson that the following be added as section 14 of the Twelfth Report for 1998 of the Finance and Administration Committee:

14. (a) That City Council advise the Hamilton Harbour Commissioners that the City does not accept the conditions added by them in their correspondence dated November 18, 1997, to the Memorandum of Agreement of September 29, 1997; and,

(b) That they be further advised that given those conditions, the Memorandum of Agreement of September 29, 1997 is hereby defeated. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - THIRD REPORT

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - SECOND REPORT

ACTING MAYOR FOR THE MONTH OF MAY, 1998

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman D. Haining be appointed Acting Mayor for the month of May, 1998. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, and the Report of His Worship Mayor R. M. Morrow, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 9:30 o'clock p.m.

* * * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
City Clerk
1998 April 28
JJS/dg

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Official Plan Amendment No. 149 to establish a Special Policy Area to permit a garden centre and related uses, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,

(b) That approval be given to amended Zoning Application 98-06, Country Depot, 1023942 Ontario Inc., owner, for a modification to the established "M-13" (Prestige Industrial) District regulations, to permit retail/wholesale for farm and home supplies and a lawn and garden centre with outside storage, for property located at 10 Dartnall Road, as shown on the attached plan marked as Appendix "A", on the following basis:

(i) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

(a) That notwithstanding Section 17E(1)(c) of Zoning By-law No. 6593, the following additional uses shall be permitted:

1. Retail/Wholesale of farm and home supplies; and,

2. Lawn and Garden Centre, excluding open stockpiling of fertilizers, soil and soil conditioners; and,

(b) The total area used for storage inside shall not exceed 48.0% of a building or structures gross floor area; and,

(c) That notwithstanding Section 17E(2)(b)(1)(ii) of By-law No. 6593, the chemical storage shed, existing on the day of passing of this By-law, shall provide a southerly side yard of 4.0 m minimum; and,

(d) That notwithstanding Section 17E(2)(h)(1) of By-law No. 6593, outside storage shall be permitted in the non-required front yard, provided that it is screened from external view by a chain link fence not less than 1.5 m in height and not more than 3.0 m in height; and,

(e) That notwithstanding Section 17E(2)(h)(2) of By-law No. 6593, every side yard or rear yard that is used for outside storage of any material or any equipment shall be screened from external view by a chain link fence not less than 1.5 m in height and not more than 3.0 m in height, and a landscaped area with a planting strip having a width of not less than 1.2 m along the side and rear lot lines adjacent to the outside storage area shall be provided and maintained; and,

(f) That notwithstanding Section 17E(2)(h)(4) of By-law No. 6593, the total area used for storage outside of a building or structure shall not exceed 30% of the lot area subject to the following requirements that:

1. Not more than two percent (2.0%) of the total outside storage area is not required to be screened from external view; and,

2. No stockpile of retail/wholesale farm and home, lawn and garden supplies located in the outside storage area shall exceed a height of 4.0 metres; and,

(g) Section 17E(2)(i) of By-law No. 6593 shall not apply; and,

(ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-1403, and that the subject lands on Zoning District Maps E59D be notated S-1403; and,

(iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E59D; and,

(iv) That the proposed modification in zoning will be in conformity with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. 149 by the Regional Municipality of Hamilton-Wentworth.

2. (a) That street name "Dulgaren Street" be changed to "Dalia Avenue" for that portion of Dulgaren Street located between Upper Sherman Avenue and the future extension of Eaglewood Drive, as shown on the attached map marked as Appendix "B"; and,

(b) That the City Solicitor be directed to prepare a By-law for enactment by City Council to change the street name from "Dulgaren Street" to "Dalia Avenue" in accordance with the provisions of the Municipal Act; and,

(c) That the City Solicitor be directed to register the By-law and that duplicate copies of the By-law be sent to the Building Department, Department of Public Works and Traffic, Planning Department, Regional Environment Department and Regional Transportation Department.

3. (a) That approval be given to Zoning Application ZAC-98-05, Luft Enterprises Inc., for a further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "1") and a change in zoning from "H" (Community Shopping and Commercial, etc.) District modified to "G-3" (Public Parking Lots) District (Block "2"), modified, to permit the conversion of the first floor of the existing building from commercial use to seven (7) residential units (Block "1"), and a parking lot (Block "2") to be used in conjunction with lands at 400 York Boulevard, for lands located at 400 York Boulevard (Block "1") and 16 Magill Street (Block "2"), as shown on the attached map marked as Appendix "C", on the following basis:

(i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed zoning districts. The holding provision will prohibit the development of the subject lands (Blocks "1" & "2") until such time as a plan of condominium has been registered, and the lands known as 400 York Boulevard and 16 Magill Street have been included in the description and the declaration for the condominium to the satisfaction of the Director of the Planning and Development and the City Solicitor; and,

City Council may remove the 'H' symbol, and thereby give effect to the "E" District modified provisions and "G-3" District modified provisions as stipulated in this By-law, by enactment of an amending By-law once this condition is fulfilled; and,

(ii) That Block "2" be rezoned from "H" (Community Shopping and Commercial, etc.) District modified to "G-3" (Public Parking Lots) District; and,

(iii) That the "G-3" (Public Parking Lots) District provisions, as contained in Section 13C of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special requirements:

(a) That the subject lands be used only in conjunction with 370 York Boulevard and 400 York Boulevard; and,

(b) Notwithstanding Section 18A(1)(f), a 5.3 m minimum required manoeuvring space shall be provided and maintained for each parking space; and,

(iv) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593 as amended By-law 87-78, applicable to Block "1", be further modified to include the following variances as special requirements:

(a) Notwithstanding clause 1(d) of By-law 87-78, a maximum gross floor area of 2,991.0 m^2 (32,196.0 S.F.) and thirty-three (33) units shall be permitted on the subject lands; and,

(b) Notwithstanding clause 1(e) of By-law 87-78, not less than 10% of the lot area shall be provided and maintained as landscaped area; and,

(c) Notwithstanding clause 1(f) of By-law 87-78, a landscape planting strip having a minimum width of 1.35 m shall be provided and maintained along each lot line abutting a residential district to the north; and,

(d) That notwithstanding Section 18A, eighteen (18) parking spaces shall be provided and maintained for a thirty-three (33) unit Multiple Dwelling; and,

(e) That notwithstanding Section 18A (1)(c), one (1) loading space at 9.0 m x 3.0 m x 4.3 m shall be provided and maintained on Block "1" of the subject lands; and,

(f) That notwithstanding Section 6.(3) of By-law 76-233, planters, air conditioners and ornamental iron railings may project not more than 1.5 m within the front yard; and,

(v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-481d, and that the subject lands on Zoning District Map W-11 be notated S-481d; and,

(vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-11 for presentation to City Council; and,

(vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

(b) Upon finalization of the implementing By-law the Strathcona Neighbourhood Plan be amended by changing the designation of Block "1" of the subject lands from "Commercial and Apartments" to "Medium Density Apartments".

4. (a) That Official Plan Amendment Application by Altco Int'l, owner, to establish a Special Policy Area to permit a sorting/storage warehouse (waste recycling) use for lands known municipally as 520 James Street North, as shown on the attached map marked as Appendix "D", be denied; and,

(b) That Zoning Application ZAC-97-31, Altco Int'l Inc, owner for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified to permit a range of commercial uses and a sorting/storage warehouse (waste recycling facility), for lands located at 520 James Street North, as shown on the attached map marked as Appendix "D", be denied for the following reasons:

(i) the sorting/storage (waste recycling) use is considered an industrial use and, as such, conflicts with the Official Plan and the approved North End East Neighbourhood Plan which designates the lands "Commercial"; and,

(ii) it allows for the continuation of an industrial use in an established residential neighbourhood with significant negative spillover effects including noise, truck traffic, lack of buffering/separation distance from adjacent single family dwellings, potential health/safety hazards, amongst others; and,

(iii) approval of the application would encourage other similar applications, which if approved, would undermine the intent of the Official Plan and erode the residential character of the area.

5. That the Building Commissioner be authorized to issue a demolition permit for 49 Royal Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Kiss, Copps. -2. **CARRIED.**

6. (a) That City Council reaffirm its request of October 31, 1995, to Regional Council to delegate the authority to approve plans of subdivision and condominium to the City of Hamilton.

(b) That upon delegation of authority for subdivision and condominium approval from Regional Council, City Council delegate, by By-law, the authority to the Director, Planning and Development Department.

(c) That the City Clerk notify the Regional Clerk and the Commissioner, Regional Environment Department.

7. That the Building Commissioner be authorized to issue a demolition permit for 1478 Upper James Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Kiss. -1. **CARRIED.**

8. That the Building Commissioner be authorized to issue a demolition permit for 34 Crockett Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

9. (a) That the city owned property at 87-89 King Street East be tendered for sale, with a restrictive covenant on title that the purchaser undertake to improve the property by adding two storeys substantially in accordance with the attached concept marked Appendix "E"; and,

(b) That this be co-ordinated through the Housing Section of the Building Department.

10. That the City of Hamilton accept the sum of $13,800 in connection with "Brigadoon Park", Hamilton, $12,100 in connection with "Wellington Meadows - Phase 1", Hamilton, and $16,000 in connection with "Wisemount Estates - Phase 10", Hamilton, as the cash payments in lieu of the 5% land dedication required under Section 51 of the Planning Act.

11. That Section 1 of the Seventh Report of the Planning and Development Committee for 1998, as approved by City Council on 1998 April 14 and attached hereto as Appendix "F", be amended by deleting Section 1.(a) in its entirety and that Sections 1.(b), 1.(c), 1.(d), 1.(e), 1.(f), 1.(g), 1.(h) and 1.(i) be renumbered to 1.(a), 1.(b), 1.(c), 1.(d), 1.(e), 1.(f), 1.(g) and 1.(h), respectively.

12. (a) That an Offer to Purchase Part 2, Plan 62R-8629, 1650 Upper Ottawa Street for the price of $167,000, executed by AFFG Properties & Investments Inc., dated 1998 March 16, be accepted. The said lands having a frontage on the westerly limit of Upper Ottawa of 70.259 metres (230.51 feet), by a depth of 187.449/187.731 metres (614.99/615.92 feet) and containing an area of 1.350 hectares (3.34 acres), being part of Lot 11, Plan 62M-352, Hamilton Mountain Industrial Park No. 3, said transaction scheduled to close on 1998 May 27. Funds derived from this sale less commission be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases (Sales)); and,

(b) That this transaction include the Purchaser's promise to the City to develop this land with a building (not less than 10,000 square feet) by 1999 June 27 and if he fails to do so, to re-sell the land to the City of required by the City; and,

(c) That upon successful completion of this sale, a real estate commission of 6% of the $167,000 sale price, plus GST, be paid to Blair, Blanchard, Stapleton Limited (Sales representative Drew Blair), who acted in this matter; and,

(d) That the required deposit cheque in the amount of $16,700 be held by the City Treasurer pending Council approval; and,

(e) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(i) satisfactory notice has been given to the public of the intended sale;

(ii) no appraisal of the fair market value of the real property being sold was obtained as the lands are exempt from the appraisal requirements of Section 193 of the Municipal Act.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Charters, Jackson. -2. **CARRIED.**

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-66 A By-law to Adopt Official Plan Amendment No. 148 Respecting Lands Located at 1317 Upper James Street Within the Jerome Neighbourhood.

(b) C-67 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1317 Upper James Street.

(c) C-68 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 243 Fennell Avenue East.

(d) C-69 A By-law to Adopt Official Plan Amendment No. 147 Respecting Lands Located at 135 Fennell Avenue West Within the Buchanan Neighbourhood.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly. -14.

NAYS: Aldermen Copps, D'Amico, O'Sullivan. -3. **CARRIED.**

(e) C-70 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 135 Fennell Avenue West.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly. -14.

NAYS: Aldermen Copps, D'Amico, O'Sullivan. -3. **CARRIED.**

(f) C-71 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 135 Fennell Avenue West.

Recorded vote.

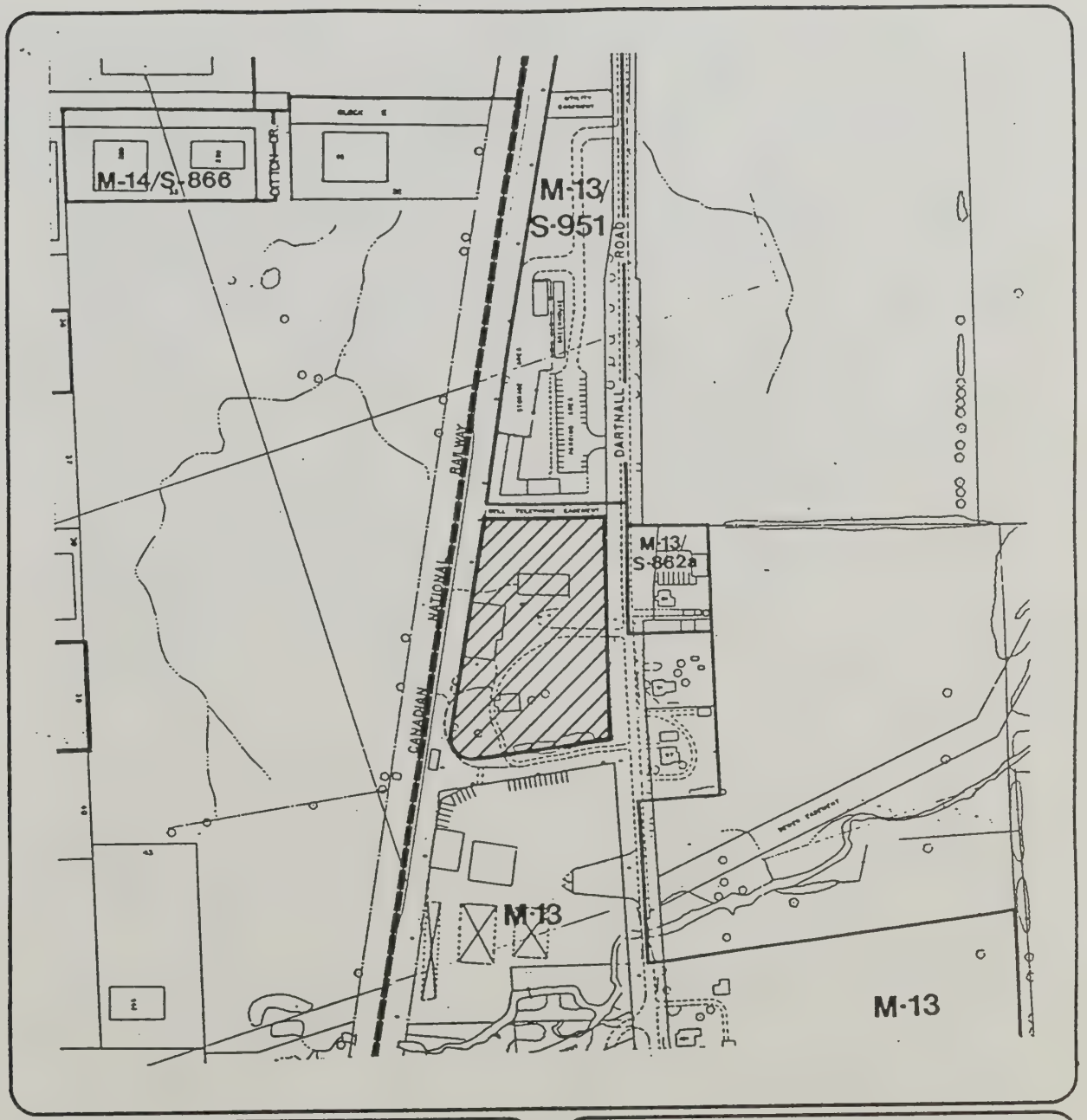
YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly. -14.

NAYS: Aldermen Copps, D'Amico, O'Sullivan. -3. **CARRIED.**

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1998 April 22



Legend

Site of the Application

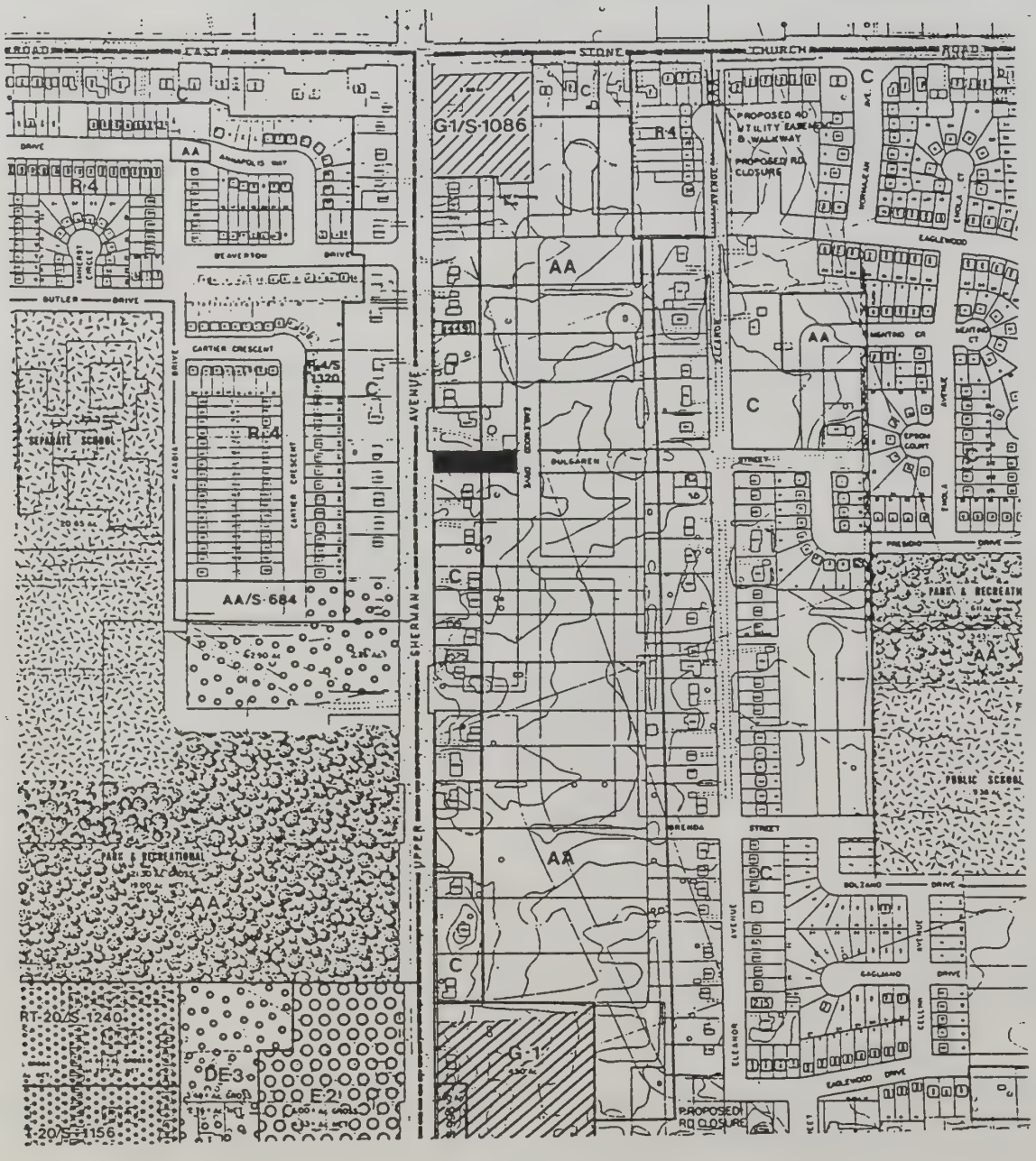
City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-06
	Date	Drawn By
	FEBRUARY, 1998	B.B.

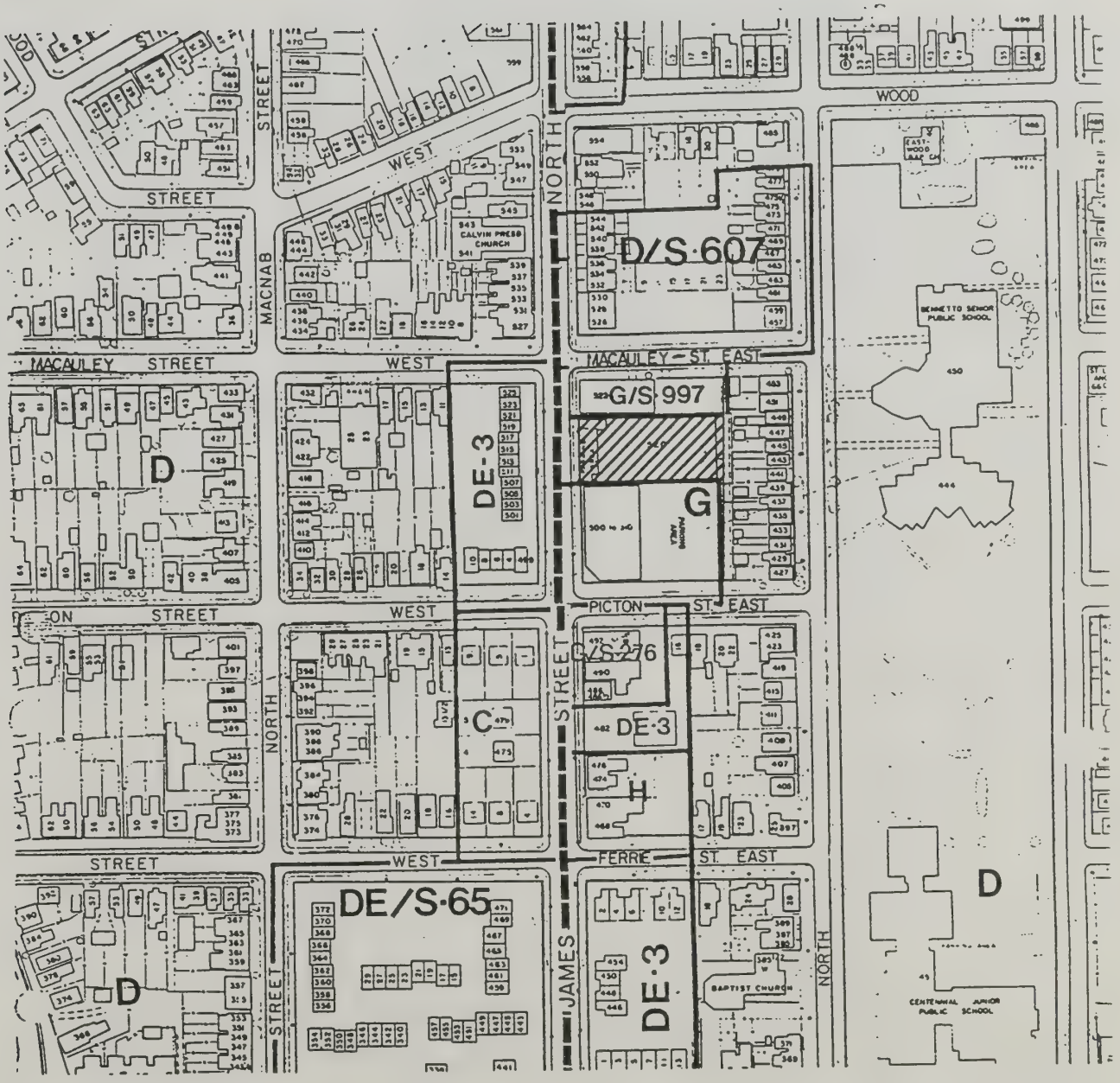
Appendix "B" referred to in Section 2(a) of the **EIGHTH** Report of the Planning and Development Committee for 1998



Legend

Portion of Dulgaren Street to be renamed

N.T.S.

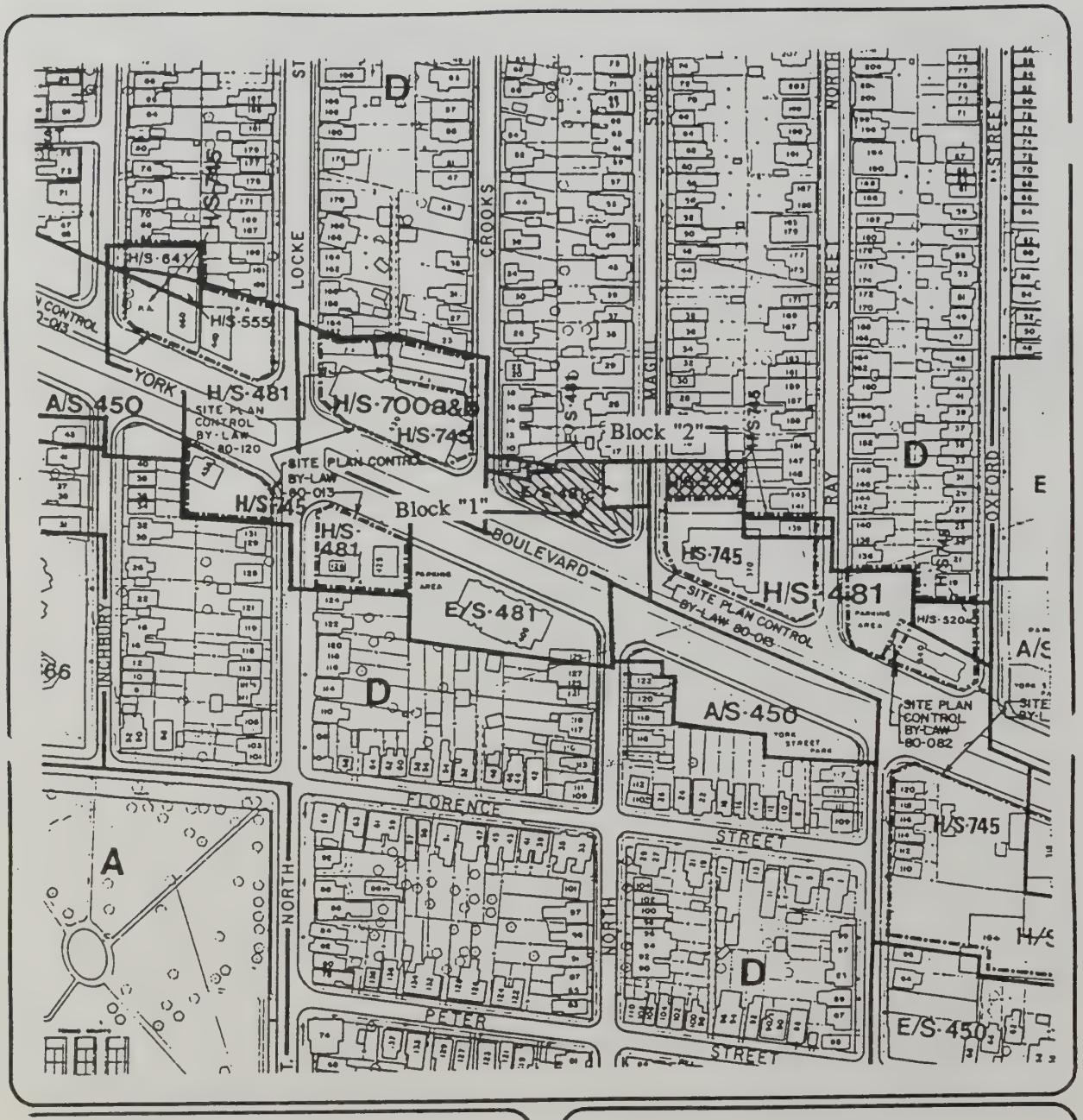


Legend

Site of the Application

Reference File No.	
ZAR-97-31	
Drawn By	Date
R.L.	Sept. 1997
Scale	
Not to Scale	
North	

Appendix "C" referred to in Section 3(a) of the **EIGHTH** Report of the Planning and Development Committee for 1998



Legend

BLOCK 1 — Further modification to "E" (Multiple Dwellings Lodges, Clubs, etc.) District.

BLOCK 2 — From "H" (Community Shopping and Commercial, etc.) District to "G-3" (Public Parking Lots) District.

City of Hamilton

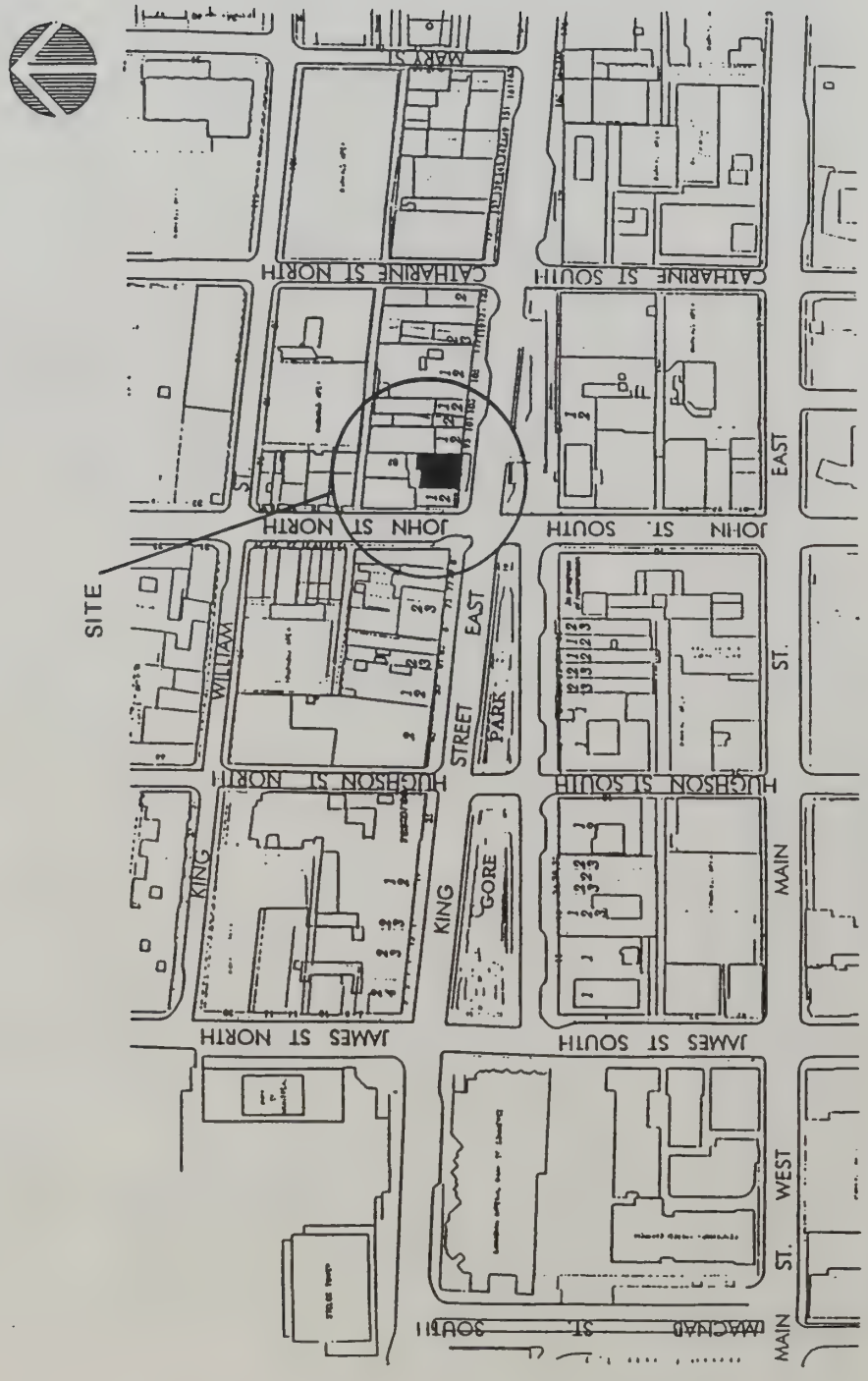
Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-05
	Date	Drawn By
	FEBRUARY, 1998	R.L.

PRELIMINARY CONCEPTUAL STUDY FOR THE REVITALIZATION OF THE BUILDING AT 87-89 KING STREET EAST FOR THE MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION

RICHARD G. BUTTERWORTH ARCHITECT INC.

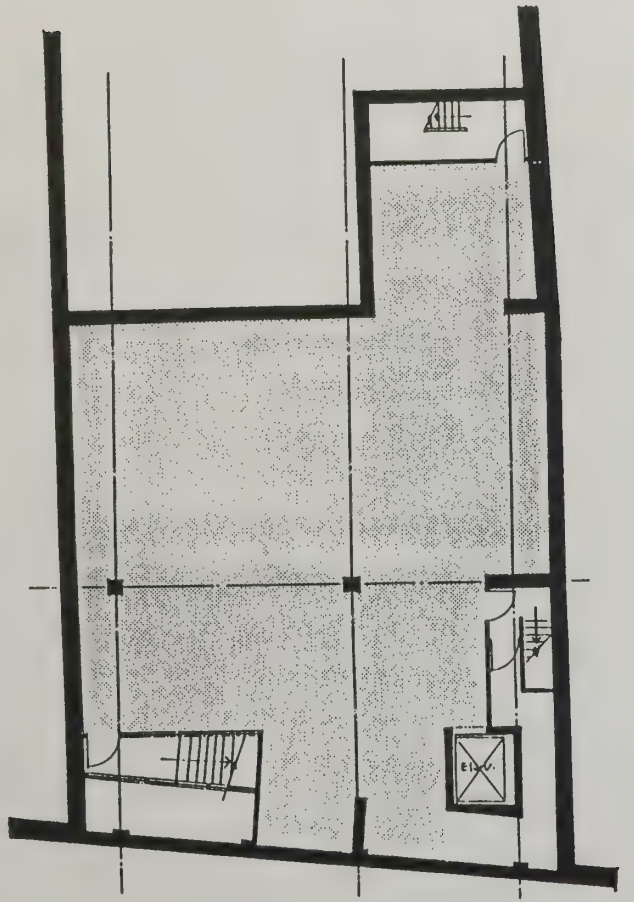


PRELIMINARY CONCEPTUAL STUDY FOR THE REVITALIZATION OF 87-89 KING ST EAS
HAMILTON FOR MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION
RICHARD G. BUTTERWORTH ARCHITECT INC.

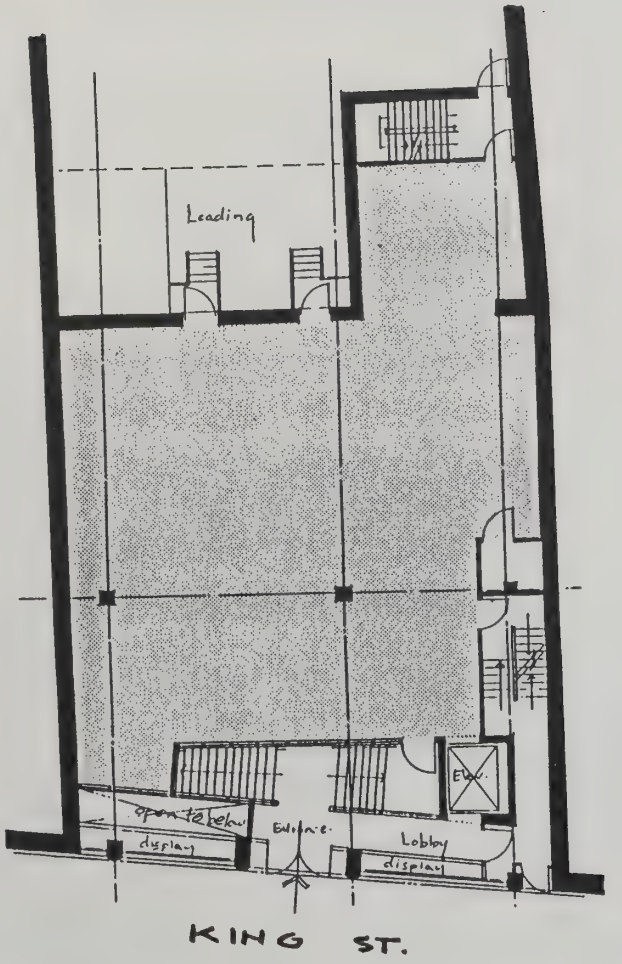
EXISTING KING STREET FACADE

EXISTING LOWER OPEN AREA WELL

PRELIMINARY CONCEPTUAL STUDY FOR THE REVITALIZATION OF 87-89 KING ST EAST
HAMILTON FOR MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION
RICHARD G. BUTTERWORTH ARCHITECT INC



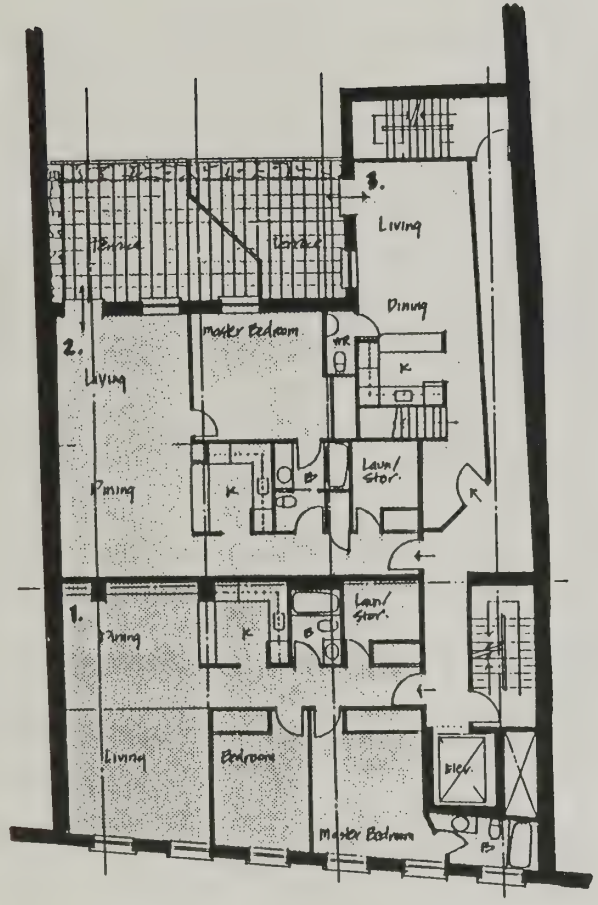
COMMERCIAL - BASEMENT | EXISTING BLDG.



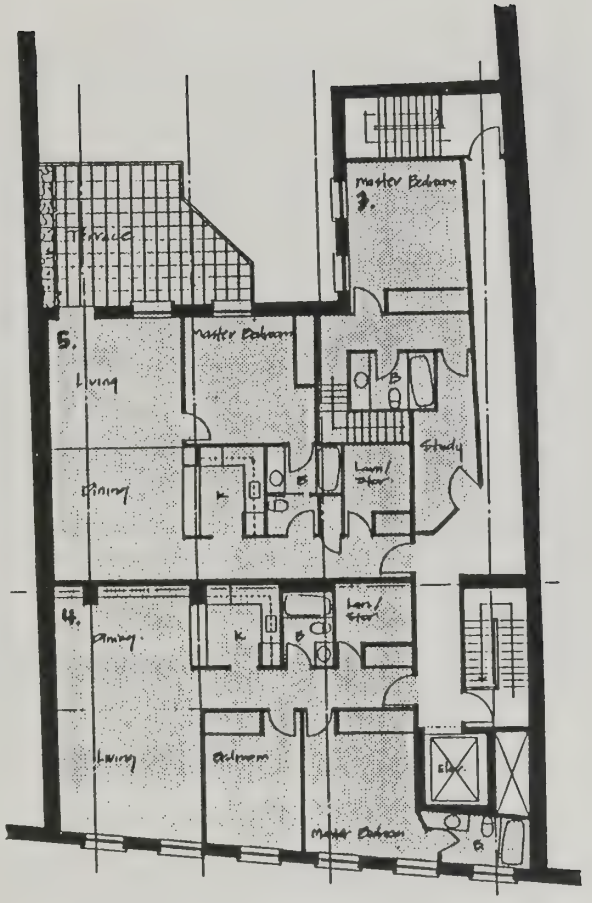
COMMERCIAL - LEVEL 1 | EXISTING BLDG.

PROPOSED

PRELIMINARY CONCEPTUAL STUDY FOR THE REVITALIZATION OF 87-89 KING ST EAS HAMILTON FOR MUNICIPAL NON-PROFIT (HAMILTON) HOUSING CORPORATION RICHARD G. BUTTERWORTH ARCHITECT INC.



RESIDENTIAL - LEVEL 2 | NEW ADDITION



RESIDENTIAL - LEVEL 3 | NEW ADDITION

PROPOSED

PRELIMINARY CONCEPTUAL STUDY FOR THE REVITALIZATION OF 87-89 KING ST EAST
HAMILTON FOR MUNICIPAL NON-PROFIT (HAMILTON) HOI ~ CORPORATION
RICHARD G. BUTTERWORTH ARCHITECT INC.

QTY	UNIT TYPE	LOCATION	CHARACTERISTICS	UNIT AREA	TOTAL AREA
MARKET VALUE UNIT COMPOSITION (30%)					
2	2 - BEDROOM (2B1L)	NEW ADDITION	ONE LEVEL TWO BATH UNIT	113.0m²	226.0m²
2	1 - BEDROOM (2B31L)	NEW ADDITION	ONE LEVEL ONE BATH UNIT	89.0m²	178.0m²
1	1 - BEDROOM (2B3TC)	NEW ADDITION	TWO LEVEL ONE AND A HALF BATH UNIT	93.0m²	93.0m²
5					497.0m²
COMMERCIAL AND OTHER SPACE					
	COMMERCIAL LEVEL 1	EXISTING BLDG.	FLEXIBLE DEMISABLE AREAS WITH OPTIONAL VERTICAL ACCESS		220.0m²
	COMMERCIAL BASEMENT	EXISTING BLDG.	FLEXIBLE DEMISABLE AREAS WITH OPTIONAL VERTICAL ACCESS		355.0m²
	CIRCULATION & SYSTEMS	EXISTING BLDG.			225.0m²
		NEW ADDITION			126.0m²
					906.0m²
				TOTAL	1403.0m²

591
1998 April 28

'98 April 14

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1998 and respectfully recommends:

1. That approval be given to amended Zoning Application 98-03, 1215443 Ontario Inc. (Ontario Pride Construction/Michael Bobiash), owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette - Holding) District modified, to permit the construction of 13 townhouse units and 2 semi-detached units, for the property located at No. 243 Fennell Avenue East, shown as Blocks 1 and 2 on the attached map marked as Appendix "A", on the following basis:

   (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until:

   Submission of a signed Record of Site Condition (RSC) to the Region of Hamilton-Wentworth and the Ontario Ministry of the Environment (MOE). This RSC must be to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOE.

   Removal of the holding restriction shall be conditional upon the signed Record of Site Condition to the satisfaction of the Region and the Ministry of Environment. City Council may remove the 'H' symbol, and thereby give effect to the "RT-20" District provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled; and,

   (b) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" - 'H' (Townhouse-Maisonette - Holding) District modified; and,

   (c) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 1, be modified to include the following variances as special requirements:

      (i) That notwithstanding Section 10E(2), only a maximum of one semi-detached dwelling and a townhouse dwelling having a maximum of three single family dwelling units shall be permitted; and,

Appendix "F"

1998 April 14

(ii) That notwithstanding Section 10E(4)(a), for a townhouse dwelling a side yard depth of not less than 4.0 metres shall be provided and maintained for the southerly lot line; and,

(iii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than three single family dwelling units shall be attached in a continuous row; and,

(d) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to Block 2, be modified to include the following variance as a special requirement:

(i) That notwithstanding Section 10E(2), only townhouse dwellings having a maximum of ten single family dwelling units shall be permitted; and,

(ii) That notwithstanding Section 10E(17)(a), for a townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row; and,

(e) That no pedestrian or vehicular access shall be permitted from East Eleventh Street; and,

(f) That the building elevation drawings as submitted with a future Site Plan application for the subject lands be consistent with the height, scale, style, character and architectural details of the proposed dwellings shown in Appendix "B"; and,

(g) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1400, and that the subject lands on Zoning District Map E-16 be notated S-1400; and,

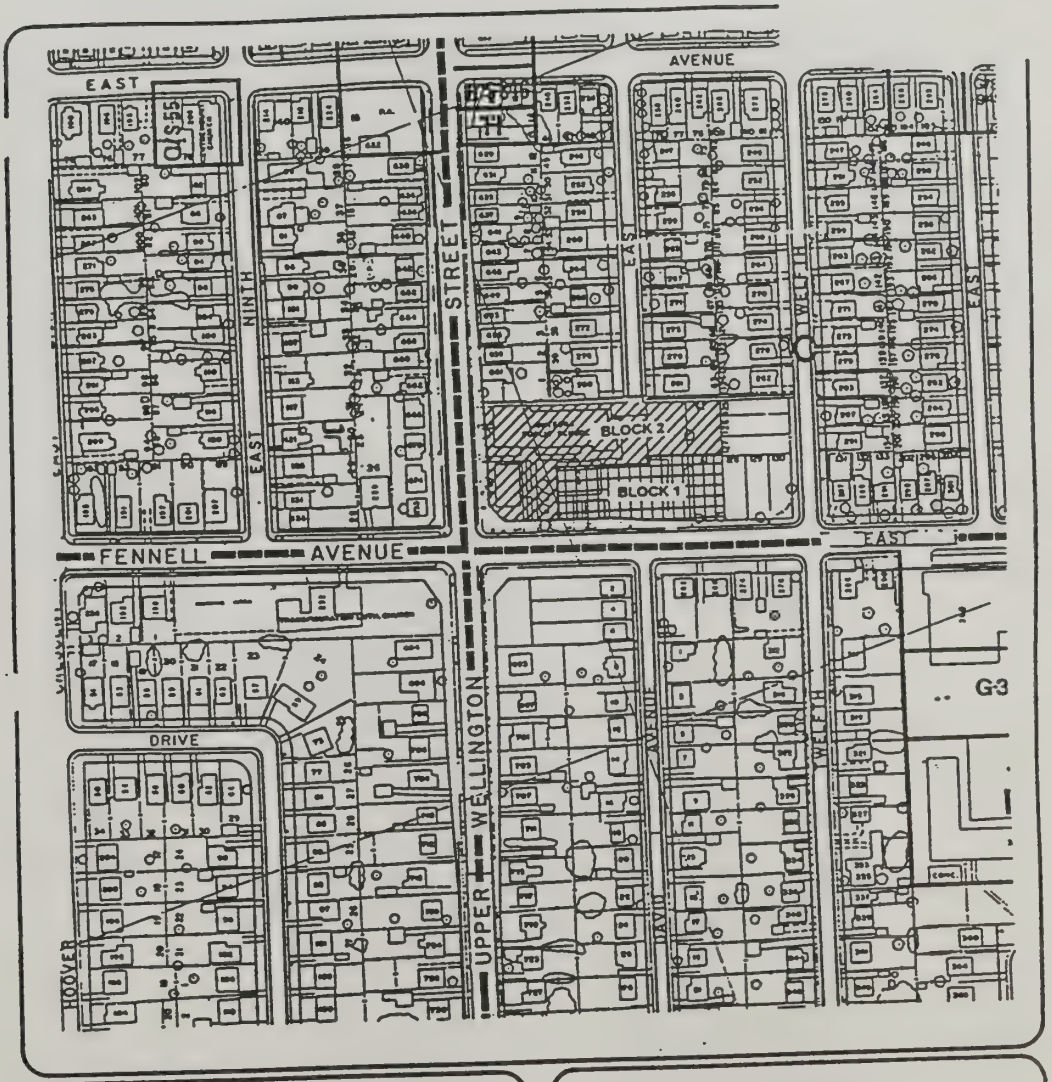
(h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-16, for presentation to City Council; and,

(i) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Appendix "F" referred to in Section 11 of the **EIGHTH** Report of the Planning and Development Committee for 1998

1998 April 14

Appendix "A" referred to in Section 1 of t
SEVENTH Report of the Planning a
Development Committee for 1998



Legend

Change in Zoning From:

BLOCK 1 — From "C" (Urban Protected Residential, etc.) District To "RT-20" - "H" (Townhouse - Maisonette - Holding) District, Modified.

BLOCK 2 — From "C" (Urban Protected Residential, etc.) District To "RT-20" - "H" (Townhouse - Maisonette - Holding) District, Modified.

City of Hamilton

Location Map

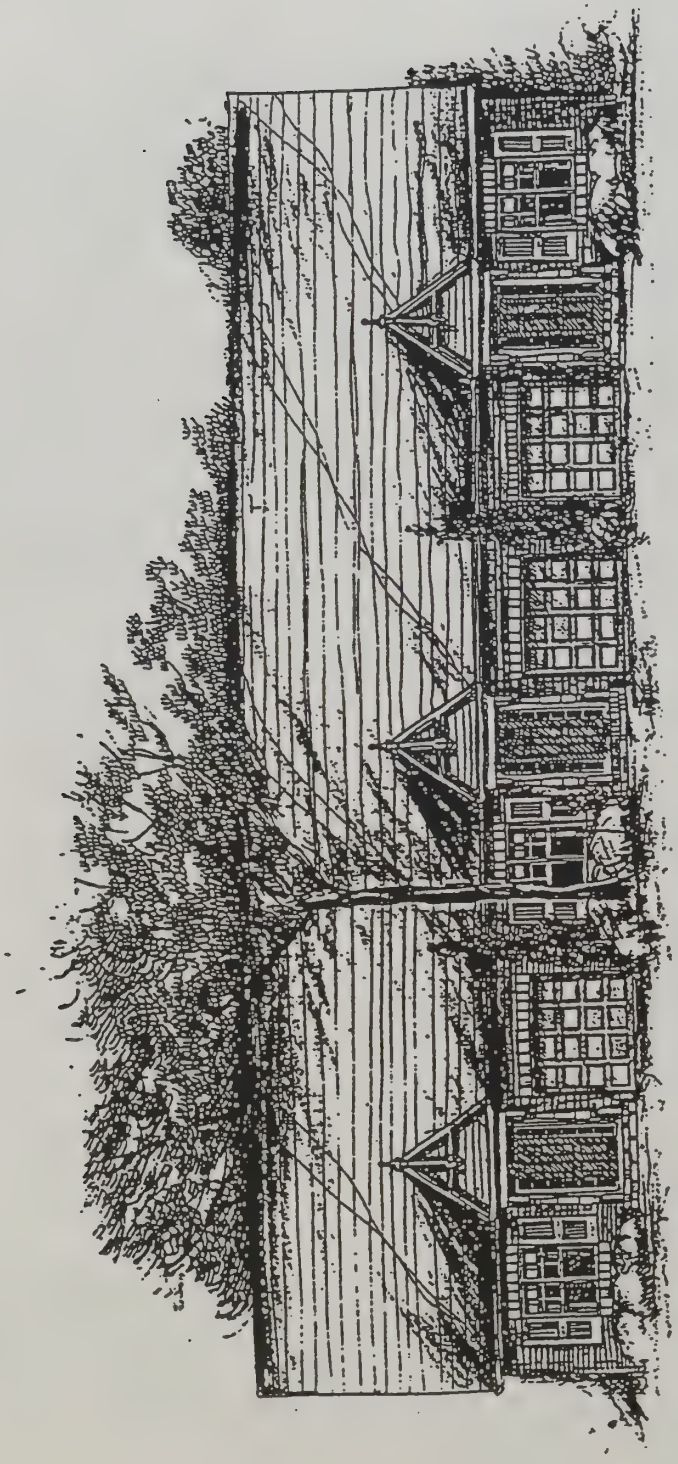
Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-03
	Date	Drawn By
	March, 1998	R. L.

Appendix "F"

1998 April 14

Appendix "B" referred to in Section 1(f) of the SEVENTH Report of the Planning and Development Committee for 1998



ONTEORA Place

C-6

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1998 and respectfully recommends:

1. That as referred to in Section 5 of the Seventh Report for 1998 of the Planning and Development Committee, approved by City Council at its meeting held 1998 April 14th, the upset contribution of $5,000 to assist in defraying the costs of the Ontario Association of Property Standards Annual Education Seminar and General Meeting on 1998 May 24-29, to be held at McMaster University, be financed from the Hosting of Conferences with Municipal Subject Content Account CH 54307 80040.

2. (a) That the current lease agreement between Corrado Belacca, John Malagrino and the City of Hamilton respecting the Farmers' Market Coffee Shop, be amended to remove Corrado Belacca as a licensee and include Ann Soos as an added licensee; and,

   (b) That the amended lease agreement continue to provide for the agreement to expire on 2000 August 31, with no option to renew, at a monthly rate of $439 for 1998, to be adjusted during the term of the agreement at the pleasure of Council; and,

   (c) That the City Solicitor be authorized and directed to prepare the necessary amending agreement.

3. That insofar as a pedestrian walkway connection has been re-opened between Eaton's and Jackson Square, that no further action be taken with respect to construction of a contemplated pedestrian connection between the Farmers' Market/Jackson Square and Eaton's.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Mayor Morrow. -1. **CARRIED.**

4. (a) That approval be given to the Terms of Reference for the Social and Economic Impact Study for Charity Gaming Clubs, attached herewith and marked Appendix "A" at an estimated cost of $20,000; and,

(b) That the City Treasurer be requested to recommend the method of financing.

5. (a) That Blair, Blanchard, Stapleton Limited, Chambers & Company Limited, John W. Harvey Real Estate Limited, and Star Real Estate Limited be retained to provide real estate brokerage services to sell surplus City commercial and industrial properties for a two (2) year term expiring 2000 April 30; and,

(b) That the Manager of the Real Estate Division, City Clerk's Department be authorized and directed to sign the Multiple Listing Agreement for each surplus commercial/industrial property to be listed.

6. That the Chief Administrative Officer be authorized to approve for the payment of legal and insurance adjusting costs related to the City's defence against claims arising out of the Plastimet Fire.

7. That the City Treasurer be authorized to reimburse the Hamilton Habitat for Humanity as per their application dated 1998 April 2, from the proceeds of the sale of 11 Arthur Avenue South, in the amount of $5,696.87, for the sole purpose of assisting the organization to purchase 95 Mary Street North.

8. (a) That a purchase order be issued to G.C. Duke Equipment Ltd., Burlington, in the amount of $132,307.50, including volume order discount and all applicable taxes, being the lowest total acquisition cost meeting specifications of four tenders received in accordance with specifications issued by Purchasing and Vendor's tender. This purchase includes one (1) 5 Gang Sports Field Mower as approved by City Council 1997 March 18, and one (1) replacement, 5 Gang Sports Field Mower to be financed through the Reserve for Mobile Equipment Account pending the approval of the 1998 Capital Funds. The 4 Wheel Turf Truckster as approved by City Council 1997 March 18; and, **AMENDED.**

(b) That the Finance and Administration Committee determine the method of financing not to include financing from T.B. McQueston Park Development, Capital Funds Account No. CF629254005 and Turner Park Development Phase II Capital Funds Account No. CF 629754034. **ADDED.**

9. (a) That an Offer to Purchase Agreement for 319/321 King Street East for the price of $75,500, executed by Miklos Vig and John Szalai, dated 1998 April 1, and scheduled to close on or before 1998 May 15, be accepted. The said lands being composed of part of Lots 2, 3, and 4 on Plan 214, have a frontage of 8.074 metres (26.5 feet) more or less, along the northern limit of King Street East and a depth of 31.47 metres (103.25 feet) more or less. The lands and buildings were vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended. Funds derived from this sale of $75,500, less a commission of $4,530, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $5,000 be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of $4,530 (6% of the $75,500 sale price, plus GST) be paid to Blair, Blanchard, Stapleton Limited (Sales Representative John Gallagher), who acted in this matter; and,

(d) That a Notice may be registered on Title advising of the Region's requirement for a 3.0 metre (9.84 foot) dedication along King Street East, as a condition of redevelopment; and,

(e) That the Purchaser may be required, on or before closing, to enter into a Building Encroachment Agreement with the Region, and the Purchaser be responsible for all conditions, costs and fees; and,

(f) That the Purchaser acknowledges that the owners of the lands to the west (315/317 King Street East) share the use of an access staircase at the rear of 319/321 King Street East and agrees to accept title, subject to the existence of said staircase; and,

(g) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(i) That satisfactory notice has been given to the public of the intended sale; and,

(ii) That an appraisal of the fair market value of the real property intended to be sold was obtained on 1998 April 21.

10. (a) (i) That 177 Sherman Avenue North be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,

(ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,

(b) (i) That an Offer to Purchase under Power of Sale under mortgage for the property at 177 Sherman Avenue North for the price of $50,000, executed by 805726 Ontario Inc. (Mike Valvasori, President), dated 1998 March 25, be accepted. The said land has an area of 728.4 square metres (7,841 square feet) more or less, being Lot 15 on Registered Plan 245 in the City of Hamilton, said transaction scheduled to close 1998 June 23. Funds derived from this sale less commission be credited to Account Centre CH 00115 (Reserve for Contingency); and,

(ii) That the required deposit cheque in the amount of $5,000 be held by the City Treasurer pending Council approval; and,

(iii) That the Offer be approved subject to clauses which state:

(1) That the Vendor consents to the Purchaser, at their sole expense, to make application to the Assessment Review Board - Ministry of the Attorney General, appealing the assessment on the subject property prior to closing and the Vendor agrees to sign any required documentation for that application and to do all things reasonably necessary in support of it; and,

(2) That the Purchaser acknowledges that the closing of the herein transaction is not conditional upon the successful completion of said assessment appeal. The Purchaser shall be required to close the herein transaction regardless of the status of the appeal; and,

(3) Upon closing, the Purchaser agrees to immediately proceed to fix up the facade of the building in an aesthetically pleasing manner; and,

(4) That the Vendor agrees to this transaction being assigned to City Kidz (or as they may otherwise incorporate themselves for the purpose of this transaction); and,

(iv) That upon successful completion of this sale, a real estate commission of 6% of the sale price be paid to Blair, Blanchard, Stapleton Ltd. (Robert Miles, Agent), who acted in this matter; and,

(v) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(1) Satisfactory notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1998 April 7.

11. That the City's Sub-Committee on Harbour Issues (Mayor R. Morrow, Alderman B. Charters, Alderman C. Collins), as well as the City Solicitor, be authorized to attend and make a presentation before the Senate Hearings on The Canada Marine Act, Bill C-9 being held in Ottawa on Thursday, 1998 April 30th.

12. That Archie McQueen be appointed as The Hamilton-Wentworth District School Board representative on the City of Hamilton Library Board for a term to expire 2000 November 30th.

13. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-26 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

14. (a) That City Council advise the Hamilton Harbour Commissioners that the City does not accept the conditions added by them in their correspondence dated November 18, 1997, to the Memorandum of Agreement of September 29, 1997; and,

(b) That they be further advised that given those conditions, the Memorandum of Agreement of September 29, 1997 is hereby defeated. **ADDED.**

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 April 21

1998 April 28

Appendix "A" referred to in Section 4 of the **TWELFTH** Report of the Finance and Administration Committee for 1998

TERMS OF REFERENCE

SOCIAL AND ECONOMIC IMPACTS FOR CHARITY GAMING CLUBS THE CITY OF HAMILTON

Prepared by the Planning and Development Department
April 1998

WHY ARE WE DOING THIS STUDY?

Concerns have been raised by the City with respect to the establishment of permanent charity gaming club(s). The Finance and Administration Committee, at its meeting of January 20, 1998 heard a delegation on the issue of charity gaming clubs. The Committee recommended that:

"a) the Province be advised that the City of Hamilton is opposed to the establishment of permanent charity gaming clubs (charitable casinos); and,

b) staff be authorized and directed to bring back a Terms of Reference for a study on the social and economic impact of a casino operation in the City of Hamilton."

City Council, at its meeting of January 27, 1998, approved an amended resolution to the Finance and Administration Committee to include:

"c) staff prepare a by-law prohibiting the installation of electronic gaming machines; and,

d) this by-law be presented to the next Finance and Administration Committee"

BACKGROUND:

It is a widely held view that casinos generate both social/economic costs and opportunities of the community in which it is located. Because of this view, many studies have been conducted in the United States and abroad, as well as Canada identifying those impacts. Many of the studies deal with large casinos, such as the ones in Niagara and Windsor.

- Differences between Casinos and Charity Gaming Clubs

  - **casinos** are on a larger scale (i.e. Niagara, Windsor) and have a permanent site and are run 24 hours a day. There are several different games of chance including roulette wheel, slot machines, card games (i.e. blackjack), Wheel of Fortune. They are regulated by the Province (Minister of Trade, Economic Development, Trade and Tourism) through the Ontario Casino Corporation.

  - **charity gaming clubs** are the newest form of gambling location. There will be a permanent site for this use which will operate 24 hours a day. Video lottery terminals will be permitted in conjunction with the charity gaming club facility.

The facility is expected to have a maximum of 40 table games and 150 VLT's and is approximately one tenth the size of the Niagara type casinos.

The differences in the operation between a "casino", "charity gaming clubs" and a "monte carlo event" are the duration of the event, the location of the use, the type of games played, the use of slot machines or VLT's, betting limits, number of table games and/or machines and the provincial regulations. **Charity gaming clubs are one tenth the size of provincially run casinos.**

- Ontario Experience

On November 19, 1996, Bill 75 - The Alcohol, Gaming and Charity Funding Public Interest Act received Royal assent. The Act merged the Liquor Licence Board of Ontario, the Gaming Commission of Ontario and some regulations under the Liquor Control Board of Ontario to form a new Commission titled the Alcohol and Gaming Commission.

The two most notable issues raised by the introduction of Bill 75 are: the introduction Video Lottery Terminals (VLT's) and the phasing out of temporary Monte Carlo events and the replacement with 44 permanent charity gaming clubs throughout the Province. The Province states:

> *"The Charity Gaming Club initiative is intended to address limitations and deficiencies that inhibit effective, efficient regulation of the gaming activity represented by the existing "roving" monte carlo events." (excerpt form Request for Proposal - Charity Gaming Club Project)"*

This new Commission (once Bill 75 is proclaimed) also will control video lottery terminals. The Act defines it as follows:

> *"'Video Lottery' means a lottery scheme conducted and managed by the Corporation and operated on or through a video lottery terminal;"*
>
> *"'Video Lottery Terminal' means a machine or device that allows a person to play a lottery scheme upon payment of money where that play may result in the receipt of a credit that can be redeemed for further play or money."*

VLT's will be permitted in conjunction with the permanent charity gaming club. The Province is still reviewing the possibility of allowing them in hotels, restaurants, etc on a stand alone basis.

On February 17, 1997, the Province indicated there would be 44 charity gaming clubs within the Province and potentially, there are three sites within the Hamilton/Burlington/Oakville area.

- Zoning Regulations

By-law No. 97-073 was passed by City Council, at its meeting of April 23, 1997:

- to define the terms "charity gaming clubs", "table games" and "video lottery terminals";

- to permit a "video lottery terminal" only in conjunction with "charity gaming club"; and,

- to permit the above uses within the following zoning districts:

  - "I" (Central Business) District;
  - "CR-3" (Commercial-Residential) District
  - "H" (Community Shopping and Commercial, etc.) District;
  - "HI" (Civic Centre Protected) District; and,
  - "J" (Light and Limited Heavy Industrial) District.

  that are within the downtown district **only.**

- Building Permits

A building permit has been issued for a site in Jackson Square. In addition, there are two additional sites where building permit applications have been received but no permits have been issued to date.

- Focus of the Study

The social impacts are generally identified as having negative rather than positive impacts on the community. Most of the concerns centre around the effects that gambling, particularly problem gambling has on the family, the cost to the health care system, the cost to business community in terms of lost productivity,

Economic impacts have been both positive and negative in terms of the spinoff effects in the local community as well as the larger community.

TERMS OF REFERENCE

PURPOSE: The purpose of the study is determine what social and economic impacts on the community of Hamilton result from a permanent charity gaming club.

OBJECTIVES: For the purposes of this study, "community" is defined in general terms and includes both people and businesses.

The objective of the economic impact statement is outline what economic opportunities and costs are for groups such as the City, local businesses, charities and people.

The social impact component will look at the social opportunities and costs, with particular emphasis on residents of the City and the clients of the charity gaming club.

QUESTIONS TO BE ANSWERED **What are the economic opportunities and costs to both the City as a whole and the downtown area? More specifically,**

- Jobs: number of jobs created, where and what type?
- Tourism: Do charity gaming clubs (or casinos of a similar size) increase the potential number of tourists in the City?
- Other entertainment facilities With the introduction of another form of entertainment, what would the impact be on other entertainment facilities (i.e. Copps, Theatre, Convention Centre, etc.)?
- Business Growth/Decline: Do new types of businesses within the community establish or cease as a result of the charity gaming clubs (or a casino of a similar size)?
- Local Businesses: What are the positive and negative economic spinoffs for the businesses (i.e. hotels, restaurants) in the surrounding area?
- Local Charities: Without the benefit of charity gaming clubs how do the charities raise money and what would be the losses? What are the impacts on other gambling activities (i.e bingos, nevada tickets)

- Municipal Costs: What are the costs to the municipality for such services as policing, lighting, etc.?

What are the social costs to the City? More specifically,

- Availability of Gambling: Does the availability of gambling have an increase on the number of pathological gamblers (i.e. problem gamblers) ?

- Impacts on families: What are the impacts on the families, friends etc. by gamblers?

- Cost to the Health Care System: What is the cost to the health care system for treating gamblers and their families?

- Increase in crime: Does the presence of a gambling establishment increase the amount of crime in the City and in particularly the downtown area? Particular reference should be made to drugs, prostitution and number of break and enters. Are there new types of crime introduced into the community?

- Impact on Surrounding Area: What are the impacts in terms of noise, traffic etc. on adjacent areas?

WHAT RESOURCES ARE NEEDED

A review of the current literature dealing with small casinos, socio economic profile of gamblers, frequency of gambling, per capita expenditures, age of person spending money in casinos in relation to all gambling forms, crime rates should be undertaken. In addition, a survey of what other municipalities are doing would be important.

WHO SHOULD DO THE STUDY

The study should be undertaken by a consultant that has expertise in the area of economic and social impact. Alternatively, an agency, such as the Social Planning and Research Council, in conjunction with McMaster University, may do this study. The Planning and Development Department, does not have the in house expertise, nor is it likely other Departments do.

WHO IS THE CITY LIAISON

The Planning and Development Department could coordinate the completion of the study with assistance from such other Departments as Regional Community Services, Economic Development and/or the Health Department.

TIMING The anticipated time for completion could be 6 months to a year depending on the expertise of the consultant and the complexity of the study.

COST Estimated to be about $20,000.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **THIRD** Report for 1998 and respectfully recommends:

1. That the appeal by Zuhair Shihadeh for reinstatement on the Taxi Priority List be denied.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

ALDERMAN F. EISENBERGER, CHAIRPERSON
CITY OF HAMILTON LICENSING COMMITTEE

Stella Glover, Secretary
1998 April 15

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **SECOND** Report for 1998 and respectfully recommends:

1. (a) That the following constitute the membership of the Mayor's Committee Against Racism and Discrimination:

Mayor Robert M. Morrow	(for a term to expire 2000 November 30)
Alderman M. Caplan	(for a term to expire 2000 November 30)
Alderman A. Horwath	(for a term to expire 2000 November 30)
Salim Bheriani	(for a term to expire 2000 November 30)
Elaine Burgess	(for a term to expire 2000 November 30)
Vilma Rossi	(for a term to expire 2000 November 30)
Veronica Taylor	(for a term to expire 1999 November 30)
Marlene Thomas Osbourne	(for a term to expire 1999 November 30)
Marc Haas	(for a term to expire 1998 November 30)
Geoff Small	(for a term to expire 1998 November 30)

and,

(b) That, due to the shortness of the first term, seats on the Mayor's Committee Against Racism and Discrimination which will expire in November 1998 not be advertised. Instead, the membership of those whose term is expiring will be reviewed, together with the applications of those who were interviewed in April 1998 and not appointed at that time; and,

(c) That when applicants are notified, they be advised of the above noted procedure.

Respectfully submitted,

ROBERT M. MORROW,
MAYOR

Stella Glover, Secretary
1998 April 23

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

URBAN MUNICIPAL

MAY 25 1998

GOVERNMENT DOCUMENTS

nutes of Hamilton City Council
Tuesday, 1998 May 12
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Kelly, D'Amico, O'Sullivan.

Absent: Alderman Anderson - vacation

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was sung.

* * * * * * * * * * * *

Canon Wendy Roy, St. Matthew's House led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented 1998 Civic Awards to Blessed Sacrament Provincial Champions Triple A Minor Bantam Boys Basketball Team.

* * * * * * * * * * * *

Mayor R. M. Morrow presented 1998 Civic Awards to Westdale Senior Girls Provincial Basketball Championship Team.

* * * * * * * * * * * *

Mayor R. M. Morrow presented a 1998 Civic Award to Sammy Smith, International World Champion, Tae Kwon Do.

* * * * * * * * * * * *

Mayor R. M. Morrow presented Osvaldo Fava with a Certificate of Recognition.

* * * * * * * * * * * *

Mayor R. M. Morrow presented Tara Miller with a Certificate of Recognition.

ADOPTION OF MINUTES

The minutes of the meeting held April 16 and April 28, 1998 were adopted as circulated.

CORRESPONDENCE\PETITIONS

1. Letter dated 1998 April 28 from Wayne Touzel, Owner, RWT Pharmacy Ltd, Centre Mall, Hamilton, Ontario respecting proposed increase in business realty taxes.

   Referred to the Finance and Administration Committee.

2. Application dated 1998 May 7 from Hai Chaw Wah, 35 Brant Street, Hamilton, Ontario for removal of the "H" Holding Provision at 21 Brantdale Avenue, Hamilton, Ontario.

   Received.

3. Application dated 1998 May 11 from Hugh MacLeod, 284 Locke Street South, Apartment 3, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified for 27 Dundurn Street North, Hamilton, Ontario.

   Received.

4. Petition (not dated) containing approximately 167 names from residents who are opposed to the severance and variances which have been granted to the owner, Mrs. K. Marshall at 9 Barker Avenue by the Committee of Adjustment.

   Referred to the Planning and Development Committee.

5. Letter dated 1998 May 11 from Mr. Jason Rosset requesting that his application for a zoning change for the property at 1516 Main Street West which is addressed in the Planning and Development Committee Report, Section 3.

Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT

Section 18 Re: Modified Subdivision Agreement

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Section 18 of the Seventh Report of the Transport and Environment Committee for 1998 be amended by deleting the word "amend" in the first and fourth lines and replacing it with the word "discharge" in lieu thereof and by deleting the phrase "to delete the requirements relating to driveway access".

CARRIED.

* * * * * * * * * * * * * *

Section 23 Re: 50 Charlton Avenue East - M.O.E.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

* * * * * * * * * * * * * *

Section 26 Re: Hixon Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Copps, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Horwath, Wilson. -2. **CARRIED.**

* * * * * * * * * * * * * *

Rule No. 9 Re: Temporary Street Closure: Hess Street South

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a Temporary Street Closure: Hess Street South between King Street and Main Street, Molson Canadian Summerfest, 1998 June 16 to June 22 and Hess Village Performing Arts Festival, 1998 July 8 to July 20. **CARRIED.**

* * * * * * * * * * * * * *

Section 29 Re: Temporary Street Closure - Hess Street South

It was moved by Alderman Collins and seconded by Alderman Eisenberger that the following resolution be added as Section 29 of the Seventh Report of the Transport and Environment Committee for 1998:

> "That the application of Hess Village Performing Arts Association to temporarily close Hess Street South between King Street and Main Street, from 10:00 o'clock a.m. Tuesday 1998 June 16 to 12:00 o'clock noon on Monday 1998 June 22 for the Molson Canadian Summerfest and from 10:00 o'clock a.m. 1998 July 8 to 12:00 o'clock noon 1998 July 20 for the Hess Village Performing Arts Festival, be approved, subject to the following conditions:
>
> (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

(b) That the applicant provide proof of $5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, and at the expense of the applicant; and,

(f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants within the closed portion of the road be notified of the events by the applicant prior to the events in a form acceptable to the Commissioner of Transportation; and,

(i) That the applicant be granted extension to the City of Hamilton Noise By-Law 79-292, to permit the entertainment to conclude at midnight each night of the festivals and contract a City of Hamilton Noise By-law Officer to be in attendance throughout the events, all at the expense of the applicant; and,

(j) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application by the Gown and Gavel, 24 Hess Street South for a Temporary Extension of Liquor Licence for 1998 June 16 - 22 to hold the Hess Village Performing Arts Molson Canadian Summerfest, and has no objection to the issuance of this Licence; and,

(k) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application by the Lazy Flamingo, 19 Hess Street South, for a Temporary Extension of its Liquor Licence for 1998 July 8 - 20, to hold the 10th Annual Hess Village Performing Arts Festival, and has no objection to the issuance of the Licence; and,

(l) That the applicant be granted temporary permission for the sale or consumption of alcoholic beverages on the closed road allowance of Hess Street South between King Street and Main Street, only in conjunction with the Molson Canadian Summerfest on 1998 June 16 - 22 and the Hess Village Performing Arts Festival to take place on 1998 July 8 - 20; and,

(m) That the event organizers meet with the Mayor, Ward Aldermen, area residents and staff within two weeks following the events to discuss the festivals' impact on the surrounding residential areas." **CARRIED.**

PARKS AND RECREATION COMMITTEE - SIXTH REPORT

Section 1 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * * * * * * * * * * *

Section 2 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 3 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 4 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 17 Re: City not operate Lakeland Pool

It was moved by Alderman Collins and seconded by Alderman Wilson that Section 17 of the Sixth Report of the Parks and Recreation Committee for 1998 be amended by adding Sub-section (e) as follows:

(e) That the issue of funding requirement for the operation of Lakeland Pool be referred to the Committee of the Whole for consideration. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - NINTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - ELEVENTH REPORT

Section 8 Re: Summer meeting schedule

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Wilson, Eisenberger. -4. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:05 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1998 May 12
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SEVENTH** Report for 1998 and respectfully recommends:

1. That approval be given to the Commissioner of Public Works and Traffic to advertise the traffic calming plan for Albright Road from Quigley Road to Mount Albion Road.

2. That the existing "Permit Parking" regulation on the north side of Campbell Avenue commencing at a point 64 feet east of Carlisle Street and extending to a point 24 feet easterly therefrom, and on the south side of Campbell Avenue commencing at a point 44 feet east of the east curb line of Carlisle Street and extending to a point 16 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

3. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Dalewood Avenue between Arnold Street and Traymore Avenue be replaced with a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation, and that the City Traffic By-law No. 89-72 be amended accordingly.

4. That the existing "No Parking" regulation on the south side of Burlington Street East commencing at a point 115 feet east of Catharine Street North and extending to a point 40 feet easterly therefrom be revised such that the regulation commences at a point 103 feet east of Catharine Street North and extends to a point 52 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

5. That the existing single metered parking space on the north side of King William Street commencing 209 feet west of Ferguson Avenue be replaced with a "No Stopping" regulation commencing at a point 129 feet west of Ferguson Avenue and extending to a point 98 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

6. (a) That a full-time "Wheelchair Loading Zone" regulation be implemented on the south side of King William Street, commencing 190 feet west of Ferguson Avenue and extending to a point 33 feet westerly therefrom; and,

(b) That the existing "No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday" regulation on the south side of King William Street from Catharine Street to Wellington Street be removed; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

7. That a "No Parking" regulation be implemented on the west side of John Street South between St. Joseph's Drive and Rockwood Place, and that the City Traffic By-law No. 89-72 be amended accordingly.

8. That the existing "Permit Parking" regulation on the east side of East 24th Street commencing at a point 240 feet south of Crockett Street and extending to a point 26 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

9. (a) That a "Permit Parking" regulation be implemented on the south side of Somerset Avenue commencing at a point 294 feet west of Barnesdale Avenue North and extending to a point 19 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Andrew Cholette, No. 36 Somerset Avenue.

10. (a) That the existing "No Parking, 7:00 am to 6:00 pm, Monday to Saturday" regulation on the west side of Woodman Drive South between Queenston Road and Secord Drive be revised such that the regulation is in effect "7:00 am to 6:00 pm, Monday to Friday"; and

(b) That a fulltime "No Parking" regulation be implemented on the west side of Woodman Drive South commencing 191 feet north of Secord Drive and extending to a point 100 feet northerly therefrom; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

11. That the two existing metered parking spaces on the north side of Vine Street commencing 57 feet east of MacNab Street be replaced with a "No Parking" regulation commencing at a point 57 feet east of MacNab Street and extending to a point 43 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

12. That the existing "Permit Parking" regulation on the north side of Keith Street commencing at a point 116 feet east of Emerald Street North and extending to a point 18 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

13. (a) That a "Commercial Vehicle Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the south side of the south branch of King Street East, commencing 93 feet west of Catharine Street and extending to a point 29 feet westerly therefrom; and,

(b) That a "thirty minute time limit" regulation be implemented on the south side of the south branch of King Street commencing 122 feet west of Catharine Street and extending to a point 104 feet westerly therefrom; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

14. That the existing by-law entry allowing for a full-time "No Parking" regulation on the east side of Corsica Court (including the bulb) commencing at Bonaparte Way and extending to the south property line of No. 10 Corsica Court be revised to a "No Parking, 8:00 am to 5:00 pm, Monday to Friday" regulation on both sides of Corsica Court (including the bulb), and that the City Traffic By-law No. 89-72 be amended accordingly.

15. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Brigade Drive commencing at a point 205 feet north of Byng Street and extending 40 feet northerly be revised such that the regulation commences at a point 145 feet north of Byng Street and extends 100 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

16. That the existing "No Parking" regulation on the west side of Frid Street commencing 449 feet north of Chatham Street and extending to a point 80 feet northerly therefrom be extended 134 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

17. That the application of John and Vida Pejnovich, owners of No. 305 Melvin Avenue, to execute a boulevard parking agreement be approved provided that:

    (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 26 (current annual rate is $64.61 per space for the first two spaces and $32.31 per space for any additional spaces per year) plus taxes, if any, in addition to the $10 encroachment insurance charge approved by the City Council on 1984 February 14; and,

    (b) the owner pays a one-time $50 registration fee, as approved by the City Council on 1986 January 14; and,

    (c) the owner pays a one-time $227.32 processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,

    (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,

    (e) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,

    (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

18. That the City Solicitor be authorized to discharge the Modified Subdivision Agreement registered as Instrument No. 081926 and that the appropriate City Officials be authorized to sign any necessary documentation to discharge the Modified Subdivision Agreement registered as Instrument No. 081926. **AMENDED.**

19. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", appended hereto, be approved during the pleasure of Council, provided:

    (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

(c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments.

20. (a) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

"Olmstead Park - Phase 1", Hamilton
City's Share - $ - NIL -, Owner's Share - $ 145,023

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Olmstead Park - Phase 1", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that work not be commenced until the Final Plan and Subdivision Agreement has been registered; and,

(d) That in the event the Owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, he should be allowed to do so at his own risk provided he enters into a standard agreement with the City of Hamilton for pre-servicing.

21. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in

"Tiffany - Phase 2", Hamilton
City's share $ 10,421, Owner's share $ 434,612

"Timothy Survey - Phase 2", Hamilton
City's share -NIL-, Owner's share $ 79,329

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Tiffany - Phase 2", Hamilton and "Timothy Survey - Phase 2", Hamilton, as well as and any other related documents for these Subdivisions subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,

(d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered the owner should be allowed to do so at their own risk provided that the owner enters into a standard agreement with the City of Hamilton for pre-servicing; and,

(e) That the City's share of services in "Tiffany - Phase 2", Hamilton ($10,421) be approved and that the Finance and Administration Committee recommend the source of funding.

22. That the application of the Boy Scouts/Girl Guides of Canada to temporarily close the following streets in the City of Hamilton:

(a) Locke Street, from York Boulevard to Main Street

(b) MacNab Street, from Main Street to Hunter Street

(c) Jackson Street, from MacNab Street to City Hall parking lot,

on Saturday 1998 May 30, from 8:00 o'clock a.m. to 12:00 o'clock noon, for the annual Scouts Canada/Guides Canada Parade be approved, subject to the following conditions:

(i) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,

(ii) That the applicant provide proof of $2,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(iii) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,

(iv) That all barricading be supplied by and at the expense of the applicant; and,

(v) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, and at the expense of the applicant; and,

(vi) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,

(vii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.

23. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton does not object to Certificate of Approval No. A650132 for St. Joseph's Hospital at No. 50 Charlton Avenue East, provided the following are undertaken:

(i) All environmental safeguards normally associated with the proposed activities are implemented and monitored to the satisfaction of the MOE; and,

(ii) That MOE Certificate of Approval No. A650132 contain a condition that states "The only bio-medical waste incinerated shall be generated from medical activities undertaken only at St. Joseph's Hospital"; and,

(b) That a copy of this report be forwarded to the MOE, West Central Branch for their consideration; and,

(c) That a copy of this report be forwarded to the Commissioner of the Regional Environment Department for information; and,

(d) That the MOE, West Central Branch be requested to forward a copy of Certificate of Approval No. A650132 to the City of Hamilton.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. - 15.

NAYS: Alderman Copps. -1. **CARRIED.**

24. (a) That the City Engineer be authorized and directed to proceed with the reconstruction of the roadway and sidewalks on Castlefield Drive from No. 39 Castlefield Drive southerly to Fernwood Crescent; and,

(b) That the cost of this work estimated at $183,000 be charged to Account No. CF5200 529642001-1996 Roadway and Sidewalk Reconstruction Program.

25. (a) That the City of Hamilton enter into an agreement satisfactory to the City Solicitor with The RoyalCrest LifeCare Group, for a period of not less than five years whereby parking sufficient for a total of 40 vehicles is reserved for the exclusive use of The RoyalCrest LifeCare Group at the Municipal Parking Facilities located at King and Jarvis Streets (20 spaces), Main Street and Ferguson Avenue (10 spaces), and King William and Wellington Streets (10 spaces); and,

(b) That the aforesaid agreement include provisions whereby the Parking Facilities, and the reserved spaces thereon, remain under the sole jurisdiction, management and control of the City, and requiring that RoyalCrest LifeCare Group purchase 40 parking permits each year, from the Department of Public Works and Traffic, at a rate which shall increase by not more than one dollar per permit for each successive year and which shall be $22 per permit, including Provincial Sales Tax and Goods and Services Tax, for the first year of the agreement; and,

(c) That the aforesaid agreement include provisions whereby the City, at its discretion can adjust the location of the 40 parking spaces within these municipal lots as well as utilizing parking spaces at the municipal lot located at King William Street and Walnut Street; and,

(d) That the aforesaid agreement include an option in favour of The RoyalCrest LifeCare Group to renew the agreement for a subsequent period of up to five years for 20 parking spaces; and,

(e) That the aforesaid agreement include an option in favour of The City to renew the agreement for the same subsequent period of up to five years for 20 parking spaces; and,

(f) That the Commissioner of Public Works and Traffic and the City Solicitor be directed to prepare and implement the subject agreement.

26. (a) That By-law No. 98-080 enacted on 1998 March 10 to authorize sale to the Region of several closed City highways, including a portion of Hixon Street (Part 1, Plan 62R-11546), be amended by deleting from the highways to be sold, the said portion of Hixon Street; and,

(b) That the draft By-law to amend By-law No. 98-080 in accordance with the foregoing be introduced and approved; and,

(c) That the Region's request, (as Purchaser, pursuant to section 7(c) of the Region's 1997 November 11 Offer To Purchase), to complete the Red Hill land sales in several phases, be approved with respect to the lands and former roads (except the said Hixon Street); and,

(d) That following the completion of the City's Red Hill land sales to the Region, that the Senior Director, Roads Division, be directed to report to the Transport and Environment Committee on how Hixon Street may be divided up pursuant to which this Street may also be offered by the City for sale subject to and in accordance with the rights of abutting owners to purchase same pursuant to the Municipal Act.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Corsini, Morelli, Haining, Copps, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: Aldermen Horwath, Wilson. -2. **CARRIED.**

27. (a) (i) That the lands forming part of the unopened road allowance of part of Dulgaren Street from the east limit of Eaglewood Drive, easterly for 31 metres, being Parts 2, 3 and 4, Plan 62R-14087, be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049; and,

(ii) That the Real Estate Division, City Clerk's Department be authorized and directed to sell the subject property in accordance with the Real Property Sales Procedural By-law; and,

(b) (i) That an Offer to Purchase (Highway Closure) the unopened road allowance of part of Dulgaren Street for the price of $24,750, executed by Harp Homes Inc. (A. Modica, Director and A. Falasca, Secretary), dated 1998 March 30, be accepted. The said transaction is scheduled to close on 1998 July 14. Funds derived from this sale be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,

(ii) That the required deposit cheque in the amount of $2,475 be held by the City Treasurer pending Council approval; and,

(iii) That the City Solicitor be authorized and directed to prepare the necessary transfer documents; and,

(iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

(1) satisfactory notice has been given to the public of the intended sale; and,

(2) no appraisal of fair market value of the real property intended to be sold has been obtained as Highway(Public Highway) Closures and Sales are exempt from the appraisal requirement of Section 193 of the Municipal Act; and,

(c) (i) That the City Engineer be directed to prepare a by-law for the sale of the closed road to the abutting owner; and,

(ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.

28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-35 A By-law to Amend By-law No. 98-080 respecting the Sale of a Portion of Hixon Street

(b) A-36 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

(c) A-37 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

(d) A-38 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

(e) A-39 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

29. That the application of Hess Village Performing Arts Association to temporarily close Hess Street South between King Street and Main Street, from 10:00 o'clock a.m. Tuesday 1998 June 16 to 12:00 o'clock noon on Monday 1998 June 22 for the Molson Canadian Summerfest and from 10:00 o'clock a.m. 1998 July 8 to 12:00 o'clock noon 1998 July 20 for the Hess Village Performing Arts Festival, be approved, subject to the following conditions:

(a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

(b) That the applicant provide proof of $5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, and at the expense of the applicant; and,

(f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants within the closed portion of the road be notified of the events by the applicant prior to the events in a form acceptable to the Commissioner of Transportation; and,

(i) That the applicant be granted extension to the City of Hamilton Noise By-Law 79-292, to permit the entertainment to conclude at midnight each night of the festivals and contract a City of Hamilton Noise By-law Officer to be in attendance throughout the events, all at the expense of the applicant; and,

(j) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application by the Gown and Gavel, 24 Hess Street South for a Temporary Extension of Liquor Licence for 1998 June 16 - 22 to hold the Hess Village Performing Arts Molson Canadian Summerfest, and has no objection to the issuance of this Licence; and,

(k) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application by the Lazy Flamingo, 19 Hess Street South, for a Temporary Extension of its Liquor Licence for 1998 July 8 - 20, to hold the 10th Annual Hess Village Performing Arts Festival, and has no objection to the issuance of the Licence; and,

(l) That the applicant be granted temporary permission for the sale or consumption of alcoholic beverages on the closed road allowance of Hess Street South between King Street and Main Street, only in conjunction with the Molson Canadian Summerfest on 1998 June 16 - 22 and the Hess Village Performing Arts Festival to take place on 1998 July 8 - 20; and,

(m) That the event organizers meet with the Mayor, Ward Aldermen, area residents and staff within two weeks following the events to discuss the festivals' impact on the surrounding residential areas. **ADDED.**

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN CHAD COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1998 May 4

Appendix "A" as referred to in Section 19 of the Seventh Report of the Transport and Environment Committee for 1998

Location	Municipal Address	Owner	Type of Encroachment	First Year/Annual Fee
Hess Street North	17 Hess Street North measuring 0.8m x 2.60m	J. & C. Burke	Portion of Porch & Steps	$184/20
King Street West	988 King Street West measuring 2.29m x 1.22m portion of a planter over by 0.34m	New Village Restaurant	Portion of overhead sign	$184/52
Caroline Street N.	211 Caroline Street N. measuring 0.487m x 4.87m	R.&L. Mesaglio	Portion of Porch & Steps	$184/20
Caroline Street N.	213 Caroline Street N. measuring 0.533m x 4.87m	S. Weinroth	Portion of Porch & Steps	$184/20
Hillyard Street	10 Hillyard Street Four concrete curbs measuring 0.30m x 3.20m	Amcan Castings Limited	Four, 1.0m Concrete Posts	$185/20

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report for 1998 and respectfully recommends:

1. That approval be granted to the Hamilton Hornets Rugby Football Club to sell alcoholic beverages at Mohawk Sports Park, on 1998 May 16, 26, June 6, 20, July 4, 26, August 8 by Special Occasion Permit only, and in accordance with the terms and conditions of the Licence Agreement.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

2. That approval as required by Parks By-law No. 95-126 as amended, Section 11, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the Glanbrook Minor Baseball Association to allow the sale of alcohol at Bernie Arbour Stadium on Saturday, 1998 June 6.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

3. That approval as required by Parks By-law No. 95-126 as amended, Section 11 - to sell alcoholic beverages in a park be given to St. Demetrios Church on the occasion of the annual OPA Greek Festival in Victoria Park, on the following dates and times, subject to the Standard Terms and Conditions of the Special Events Guidelines:

1998 July 23 5:00 o'clock p.m. - 11:00 o'clock p.m.

1998 July 24 and 25	11:00 o'clock a.m. - 11:00 o'clock p.m.
1998 July 26	11:00 o'clock a.m. - 10:00 o'clock p.m.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

4. That Section 3 of the Fifth Report of the Parks and Recreation Committee for 1998 approved by City Council on 1998 April 14 be amended to include a subsequent date of 1998 August 2 for CJXY FM A Division of WIC Communications (Y95.3 FM) on the occasion of the Y95 Summerfest in Bayfront Park, 12:00 o'clock noon to 11:00 o'clock p.m., approving parking of vehicles, hosting a fireworks display and selling alcoholic beverages in a park.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

5. (a) That approval as required by Section 17 (1) and Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines be given to the Director of Culture and Recreation to contract from one of the following Fireworks Company proposals: Hands Fireworks Inc., B.E.M. Fireworks or Concept Fiatlux Fireworks Inc. to provide a fireworks display on 1998 July 1 on a barge in Hamilton Harbour; and,

(b) That approval be granted to the City of Hamilton to contract food vendors to barbecue and sell food and beverages during the July 1st Canada Day Celebrations in Bayfront and Pier 4 Parks on 1998 July 1 and that 25 percent of the gross sales from the concession be deposited to the First Night Hamilton Celebrations account to assist with fundraising for the event; and,

(c) That approval as required by Parks By-law No. 95-126 as amended, Section 41 Subscriptions and Contributions be given to the Director of Culture and Recreation to partner with Hamilton Professional Fire Fighters Association Local - 288 International Association of Fire Fighters to solicit for money for the Fire Fighters Association Charities and to assist with the fireworks display.

6. That approval as required by Section 17(1) and Section 26 of the Fireworks By-law No. 90-198 and Section 11 of the Parks By-law No. 95-126, be given to the Hamilton Tiger Cat Football Club to hold a low-level Fireworks Display at each home game, subject to the following terms and conditions:

(a) That the Hamilton Tiger Cat Football Club use a qualified Fireworks Supervisor to light the fireworks display; and,

(b) That the Hamilton Tiger Cat Football Club comply with the City of Hamilton Guidelines for Special Events - Ivor Wynne Stadium; and,

(c) That proof of Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross-liability and severability provisions, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,

(d) That the Hamilton Tiger Cat Football Club comply with all sections of Fireworks By-law No. 90-198, and Parks By-law No. 95-126; and,

(e) That the Hamilton Tiger Cat Football Club agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.

7. That approval be granted to the Director of Culture and Recreation to enter into a contract in a form acceptable to the City Solicitor, with Ruth Hrycko, as the successful bidder, in response to a Request for Proposal issued through the Purchasing Department on 1998 March 10, and closed on 1998 March 27, for the operation of a food and drink concession at Globe Park for a term of three years, at an annual revenue of $250, and commencing on the signing of this agreement.

8. (a) That a purchase order be issued to Sona Construction Limited of Hamilton, Ontario for the Barrier Free Design Modifications at both Hill Park Recreation Centre and at Dalewood Recreation Centre. The total contract amount will be $99,705 plus construction contingency of $10,000 plus applicable GST of $7,679 plus special provision of $2,150 to a total of $119,534; and,

(b) That the work be financed from Canada Ontario Infrastructure Programme, Barrier Free Access - City Bldgs CF809453005; and,

(c) That a contract satisfactory to the City Solicitor be entered into between the City and the Contractor; and,

(d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

9. (a) That the City of Hamilton enter into a Lease Renewal with McMaster University to lease lands at the west end of the Campus for the operation of the Hamilton/Scourge Conversation Laboratory; and,

(b) That the Lease Renewal contain the following terms and conditions:

(i) Term - Commences 1998 October 1 and terminates 2008 September 30; and,

(ii) Rental Rate - $1 per year plus any applicable taxes; and,

(iii) The City of Hamilton pay for all operating costs associated with the use of the leased premises including but not limited to all utilities, garbage disposal and janitorial services; and,

(iv) McMaster University will provide the City with sufficient parking permits to provide the free parking for staff and guests of the City; and,

(v) Any renewal of this agreement must be agreed to by both parties in writing prior to expiry of this renewal; and,

(c) That the rental fee be charged to Account No. CH58005 73001 (Operating Equipment-Hamilton/Scourge Project); and,

(d) That the Mayor and City Clerk be authorized and directed to execute a Lease Renewal in a form satisfactory to the City Solicitor.

10. That former Alderman William McCulloch be nominated as the City of Hamilton's nominee for the 1998 Ontario Heritage Foundation's Heritage Community Recognition Program in recognition of his commitment and achievements in the areas of built and cultural heritage.

11. (a) That the Director of Culture and Recreation be authorized to retain a consultant to prepare a draft Request for Proposal for proponents to construct a multi-pad indoor arena/sports complex within the City of Hamilton for the consideration of Committee at its July, 1998 meeting with said consultant to be retained to issue and review submissions should authorization to proceed be provided, said consultant costs not to exceed $15,000; and

(b) That costs associated with this recommendation be included in the 1998 Current Budget Estimates of the Department of Culture and Recreation on the understanding that these costs will be passed along should a successful proponent be selected; and,

(c) That the Chairman of the Parks and Recreation Committee and the Director of Culture and Recreation be authorized to explore other opportunities for joint City/Private Sector partnerships for recreational programs and facilities.

12. That the Commissioner of Public Works and Traffic be authorized to waive the normal rental fee for use of portable bleacher units by City of Hamilton-Community based events and organizations subject to:

(a) no use conflicts at Mohawk Sports Park or other City venue; and,

(b) all City costs for delivery, set-up, take down and return to be covered by proponent group; and,

(c) use period not to exceed 2 days, exclusive of set up and take down; normal rental fee to apply for each additional day.

13. (a) That the Commissioner of Public Works and Traffic be authorized to undertake a joint proposal call with the Director of the Royal Botanical Gardens to engage a qualified consultant to consider the feasibility of re-locating the Aviary to a site at the RBG Centre as a new feature attraction; and,

(b) That the cost of the study be shared equally between the City and RBG to an upset limit of $15,000; and,

(c) That the City's share be funded from existing Current Budget Account No. CH51401 62110, Aviary Operations; and,

(d) That the results of this study be reported to Parks and Recreation Committee for consideration and direction.

14. (a) That a purchase order be issued to XCG Consultants Limited in the amount of $38,488.86 including G.S.T. and a $5,000 contingency sum for Environmental Consulting Services, for C.P. Lands - Forest Avenue, being the lowest acceptable tender received in accordance with specifications C16-398 issued by the Purchasing Division and Vendor's tender, and be financed from Capital Funds Account No. CF409750010 - C.P. Lands Acquisition and Development; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the contract for consulting services in a form satisfactory to the City Solicitor.

15. (a) That the Mayor and Clerk be authorized to execute a Licence Agreement and a Financing Agreement with the Mount Hamilton Youth Soccer Association in a form satisfactory to the City Solicitor; and,

(b) That approval be given to issue a purchase order to Beagle Construction Inc., Hamilton, in the amount $117,000 including $10,000 contingency, plus $7,700 G.S.T. for the construction of the sun shelter/storage room at Macassa Park being the lowest of six (6) tenders received in accordance with specification C16-12-98 issued by the Purchasing Division and Vendor's tender; and,

(c) That the amount of $63,150 for construction of the sun shelter/storage room be funded from the Macassa Park Redevelopment - Capital Account No. CF629754035 and $13,850 be funded from the 1997 Park Development and Redevelopment - Capital Account No. CF629754025 and, $40,000 paid by the Mount Hamilton Youth Soccer Association.

16. (a) That the Tariff of Charges for City-owned cemeteries as set out in Appendix "A", attached hereto, be approved upon receipt of approval from the Ministry of Consumer and Commercial Relations, Cemeteries Branch and implemented on 1998 June 1; and,

(b) That the City Solicitor be authorized and directed to prepare a By-law to amend the Cemetery By-law so as to provide for the increase in the Tariff of Charges; and,

(c) That the Manager of Cemeteries be authorized and directed to make application to the Ministry of Consumer and Commercial Relations, Cemeteries Branch for approval of these rates; and,

(d) That the increased User Fee Revenues be a component in the 1998 Department Current Budget Reductions.

17. (a) That the City not operate Lakeland Pool for the Summer 1998 Season; and,

(b) That, if the Hamilton Regional Conservation Authority chooses a community group to operate Lakeland Pool, that the Department of Culture and Recreation be authorized to provide non-monetary assistance; and,

(c) That the Director of Culture and Recreation be authorized to meet with Hamilton Regional Conservation Authority officials to review long term recreational options for the site; and,

(d) That none of these commitments infer City responsibility for this facility.

(e) That the issue of funding requirement for the operation of Lakeland Pool, be referred to the Committee of the Whole for consideration. **ADDED.**

Respectfully Submitted,

ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary
1998 May 4

SCHEDULE OF USER FEES AND OTHER REVENUES

Schedule "A"

PUBLIC WORKS – CEMETERIES DIVISION

	1997						1998						
	Resident & Realty Taxpayers			Non-Residents			Resident & Realty Taxpayers			Non-Residents			% Increase
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Over 1997
BURIALS AND REMOVALS													
Opening and Closing													
– 6 ft. Adult	520.00	36.40	556.40	624.00	43.68	667.68	546.00	38.22	584.22	655.00	45.85	700.85	5%
– 8 ft. Adult	699.00	48.93	747.93	810.00	56.70	866.70	734.00	51.38	785.38	881.00	61.67	942.67	5%
– 6 ft. Child – case up to 24"	76.00	5.32	81.32	92.00	6.44	98.44	76.00	5.32	81.32	91.00	6.37	97.37	0%
– case 25" to 42"	161.00	11.27	172.27	193.00	13.51	206.51	161.00	11.27	172.27	193.00	13.51	206.51	0%
– case 43" to 60"	235.00	16.45	251.45	282.00	19.74	301.74	235.00	16.45	251.45	282.00	19.74	301.74	0%
– case 61" to 72"	306.00	21.42	327.42	366.00	25.62	391.62	306.00	21.42	327.42	367.00	25.69	392.69	0%
– 8 ft. Child – case up to 60"	273.00	19.11	292.11	328.00	22.96	350.96	273.00	19.11	292.11	328.00	22.96	350.96	0%
– case 61" to 72"	327.00	22.89	349.89	392.00	27.44	419.44	327.00	22.89	349.89	392.00	27.44	419.44	0%
– Cremation	169.00	11.83	180.83	203.00	14.21	217.21	177.00	12.39	189.39	212.00	14.84	226.84	5%
– Cremorial	62.00	4.34	66.34	74.00	5.18	79.18	65.00	4.55	69.55	78.00	5.46	83.46	5%
– Columbarium	116.00	8.12	124.12	132.00	9.24	141.24	122.00	8.54	130.54	146.00	10.22	156.22	5%
– Mansion of Memories (Stoney Creek)	427.00	29.89	456.89	512.00	35.84	547.84	448.00	31.36	479.36	538.00	37.66	575.66	5%
Lowering (Includes Opening, Removal, Lowering, Closing)													
– Adult – 6 ft. to 8 ft. – shell	2,007.00	140.49	2,147.49				2,207.00	154.49	2,361.49				10%
– Adult – 6 ft. to 8 ft – concrete vault/crypt	1,671.00	116.97	1,787.97				1,838.00	128.66	1,966.66				10%
– Child – 6 ft. to 8 ft. – 5 to 10 years	712.00	49.84	761.84				783.00	54.81	837.81				10%
– Child – 6 ft. to 8 ft. – under 5 years	597.00	41.79	638.79				657.00	45.99	702.99				10%
Removals													
– Adult – Shell	1,826.00	127.82	1,953.82				2,009.00	140.63	2,149.63				10%
– Adult – Concrete vault or crypt	1,491.00	104.37	1,595.37				1,640.00	114.80	1,754.80				10%
– Child – Shell	631.00	44.17	675.17				694.00	48.58	742.58				10%
– Child – Concrete vault or crypt	516.00	36.12	552.12				568.00	39.76	607.76				10%
– Cremation	169.00	11.83	180.83				177.00	12.39	189.39				5%

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1998 May 12

Appendix "A" as referred to in Section 16 of the Sixth Report of the Parks and Recreation Committee for 1998

SCHEDULE OF USER FEES AND OTHER REVENUES

Schedule "A"

PUBLIC WORKS – CEMETERIES DIVISION

	1997						1998						
	Resident & Realty Taxpayers			Non-Residents			Resident & Realty Taxpayers			Non-Residents			% Increase
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Over 1997
FOUNDATIONS AND MARKERS													
– Foundation – pouring per square inch of surface area (6 feet deep)	1.06	0.07	1.13	1.29	0.09	1.38	1.11	0.08	1.19	1.34	0.09	1.43	5%
FOUNDATIONS AND MARKERS													
– 12" X 10" & Child's 18" X 14"	83.00	5.81	88.81	100.00	7.00	107.00	87.00	6.09	93.09	104.00	7.28	111.28	5%
– all other Flat Markers	126.00	8.82	134.82	151.00	10.57	161.57	132.00	9.24	141.24	158.00	11.06	169.06	5%
– Bronze Vase	126.00	8.82	134.82	151.00	10.57	161.57	132.00	9.24	141.24	158.00	11.06	169.06	5%
– D.V.A. Upright	106.00	7.42	113.42				111.00	7.77	118.77				
– D.V.A. Flat	106.00	7.42	113.42				111.00	7.77	118.77				5%
SALE OF LOTS AND GRAVES INCLUDING PERPETUAL C/													
– Adult Single Grave	511.00	35.77	546.77	632.00	44.24	676.24	537.00	37.59	574.59	644.00	45.08	689.08	5%
– Preferred Single Grave	856.00	59.92	915.92	1,057.00	73.99	1,130.99	899.00	62.93	961.93	1,079.00	75.53	1,154.53	5%
– Child – single in a row – case up to 24"	54.00	3.78	57.78	64.00	4.48	68.48	54.00	3.78	57.78	65.00	4.55	69.55	0%
– Child Single Grave – case 24" to 60"	117.00	8.19	125.19	152.00	10.64	162.64	117.00	8.19	125.19	140.00	9.80	149.80	0%
– case 61" to 72"	172.00	12.04	184.04	207.00	14.49	221.49	172.00	12.04	184.04	206.00	14.42	220.42	0%
– Urn Garden	340.00	23.80	363.80	408.00	28.56	436.56	375.00	26.25	401.25	450.00	31.50	481.50	10%
– Veteran's Grave	486.00	34.02	520.02				510.00	35.70	545.70				5%
– Two-Grave Lot	2,154.00	150.78	2,304.78	2,448.00	171.36	2,619.36	2,369.00	165.83	2,534.83	2,843.00	199.01	3,042.01	10%
– Two-Grave Lot – Woodland Section 14							3,500.00	245.00	3,745.00	4,200.00	294.00	4,494.00	new
– Two-Grave Lot – Hamilton Cemetery							2,920.00	204.40	3,124.40	3,504.00	245.28	3,749.28	new
– Two-Grave Lot – Eastlawn	1,601.00	112.07	1,713.07	2,001.00	140.07	2,141.07	1,681.00	117.67	1,798.67	2,017.00	141.19	2,158.19	5%
– Three-Grave Lot – Woodland	2,931.00	205.17	3,136.17	3,666.00	256.62	3,922.62	3,078.00	215.46	3,293.46	3,694.00	258.58	3,952.58	5%
– Three-Grave Lot – Woodland– Section 14							4,208.00	294.56	4,502.56	5,050.00	353.50	5,403.50	new
– Four-Grave Lot – Woodland Section 15	7,097.00	496.79	7,593.79	8,866.00	620.62	9,486.62	7,452.00	521.64	7,973.64	8,942.00	625.94	9,567.94	5%
– Eastlawn / Woodland	3,841.00	268.87	4,109.87	4,886.00	342.02	5,228.02	4,033.00	282.31	4,315.31	4,840.00	338.80	5,178.80	5%
– Four-Grave Lot – Trinity	3,610.00	252.70	3,862.70	4,581.00	320.67	4,901.67	3,791.00	265.37	4,056.37	4,549.00	318.43	4,867.43	5%
– Mansion of Memories – Mausoleum crypt	1,367.00	95.69	1,462.69	1,503.00	105.21	1,608.21	1,435.00	100.45	1,535.45	1,722.00	120.54	1,842.54	5%
– Cremorial	900.00	63.00	963.00	1,079.00	75.53	1,154.53	945.00	66.15	1,011.15	1,134.00	79.38	1,213.38	5%
– Columbarium – upper level	1,118.00	78.26	1,196.26	1,342.00	93.94	1,435.94	1,291.00	90.37	1,381.37	1,549.00	108.43	1,657.43	15%
– Columbarium – lower level	1,017.00	71.19	1,088.19	1,221.00	85.47	1,306.47	1,017.00	71.19	1,088.19	1,220.00	85.40	1,305.40	0%
– Monument Columbarium	915.00	64.05	979.05	1,098.00	76.86	1174.86	961.00	67.27	1,028.27	1,153.00	80.71	1,233.71	5%
– 40% of Grave and Lot sales goes into Care & Maintena													
– 20% of Mausoleum Crypt sales goes into Care & Maint													
– 15% of Columbarium and Cremorial sales goes into Ca													

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1998 May 12

SCHEDULE OF USER FEES AND OTHER REVENUES

Schedule "A"

PUBLIC WORKS – CEMETERIES DIVISION

	1997						1998						% Increase
	Resident & Realty Taxpayers			Non–Residents			Resident & Realty Taxpayers			Non–Residents			
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Over 1997
ADDITIONAL SERVICES													
– Youth	308.00	21.56	329.56				339.00	23.73	362.73				Tendered
– Social Services	300.00	21.00	321.00				330.00	23.10	353.10				Tendered
– Intermediate	330.00	23.10	353.10				363.00	25.41	388.41				Tendered
– Oversize	350.00	24.50	374.50				385.00	26.95	411.95				Tendered
– Miscellaneous:													
– Tent in Cemetery	155.00	10.85	165.85				163.00	11.41	174.41				5%
– Rental of tent outside cemetery	212.00	14.84	226.84				223.00	15.61	238.61				5%
– Transfer fee $40 + G.S.T.	45.00	3.15	48.15				47.00	3.29	50.29				4%
– Bronze Memorial Plaque for Columbarium Niche	316.00	22.12	338.12				332.00	23.24	355.24				5%
– Companion Vase on Columbarium Niche	62.00	4.34	66.34				65.00	4.55	69.55				5%
– Bronze Memorial Plaque for Cremorial	141.00	9.87	150.87				148.00	10.36	158.36				5%
– Supply, install and maintain flower bed to maximum three graves – per grave	112.00	7.84	119.84				118.00	8.26	126.26				5%
– Memorial Tree Planting, 12X10 stone, 6X8 Bronze Plaque 3 Lines	394.00	27.58	421.58				414.00	28.98	442.98				5%
– Memorial Bench – 8X5 Bronze plaque – 3 lines	563.00	39.41	602.41				591.00	41.37	632.37				5%
– Flower Pot Hanger	17.00	1.19	18.19				17.00	1.19	18.19				0%
– Temporary Marker	43.00	3.01	46.01				43.00	3.01	46.01				0%
Note: Special Lettering which carrys an extra charge will be added to plaque charge													
NOTE : PERSONNAL COLUMBARIUM AND MAUSOLEUM ARE AVAILABLE ON INDIVIDUAL BASIS													
Family research $2.00 per name													
CARE AND MAINTENANCE FUND													
– markers and upright monuments:													
– any flat marker under 173 sq. in.	N/C						N/C						
– any flat marker over 173 sq. in.	50.00	3.50	53.50				50.00	3.50	53.50				0%
– any upright monument <= 4 ft. in length/height	100.00	7.00	107.00				100.00	7.00	107.00				0%
– any upright monument over > 4 ft. in length/height	200.00	14.00	214.00				200.00	14.00	214.00				0%
Provincial Regulation – these funds are set and trusted													

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Amended Zoning Application ZAC-98-08, Giovanni (John) Fortino, owner, requesting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "RT-30" (Street - Townhouse) District, modified to permit the development of 9 street townhouses, for property located at on the east side of Hughson Street North, north of Wilson Street, as shown on the attached map marked as APPENDIX "A", on the following basis:

   (i) That the lands be rezoned from "H" (Community Shopping and Commercial, etc.) District to "RT-30" (Street Townhouse) District; and,

   (ii) That the "RT-30" (Street Townhouse) District regulations, as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

      (1) That notwithstanding Section 10F(3), a maximum height of four (4) storeys shall be permitted; and,

      (2) That notwithstanding Sections 10F(4)(b) and (c), a minimum 6.0 m rear yard and 1.5 m side yards shall be provided and maintained; and,

      (3) That notwithstanding Section 10F(6), a minimum lot area of 124.0 m^2 and a minimum lot width of 5.6 m shall be provided and maintained for each single family dwelling unit; and,

      (4) That notwithstanding 10F(9), not more than nine (9) single family dwellings shall be attached in a continuous row; and,

      (5) That notwithstanding Section 18(3)(vi)(e), the uncovered front porch may encroach into the front yard.

(iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1404, and that subject lands on Zoning District Map E-4 be notated S-1404; and,

(iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council; and,

(v) That the proposed change in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area.

(b) That the amending By-law not be forwarded to Council until such time as the owner submits a signed Record of Site Condition (RSC) to the Region and the Ministry of Environment (MOE) to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOE.

2. (a) That approval be given to Zoning Application ZAC-97-36, Sisters of St. John the Baptist, owner, for a further modification to the "C" (Urban Protected Residential, etc.) District, to permit the construction a two (2) storey addition to the west end of the existing convent, located at 329 Mohawk Road West, as shown on the attached map marked as APPENDIX "B", on the following basis:

(i) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of By-law No. 6593 as amended by By-law 67-97, applicable to the subject lands, be further modified to include the following variances as special requirements:

(1) Notwithstanding Schedule "A" of By-law 67-97, an 18.80 m minimum front yard shall be provided and maintained for the two (2) storey westerly addition along the northerly lot line; and,

(2) Notwithstanding Schedule "A" of By-law 67-97, a 4.5 m minimum westerly side yard shall be provided and maintained for the two (2) storey westerly addition; and,

(3) Notwithstanding Schedule "A" of By-law 67-97, one (1) parking spaces shall be permitted within the required front yard along Mohawk Road West; and,

(4) Notwithstanding Schedule "A" of By-law 67-97, the parking area, existing on the day of passing of this by-law, shall be permitted within the required front yard along Lynbrook Drive; and,

(5) Notwithstanding Schedule "A" of By-law 67-97, an accessory building, existing on the day of passing of this by-law, shall be permitted within the front yard along Lynbrook Drive; and,

(6) That a planting strip having a width of not less than 4.75 m shall be provided and maintained along the westerly lot line.

(ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-41a, and that the subject lands on Zoning District Map W-17 be notated S-41a; and,

(iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17 for presentation to City Council; and,

(iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

(b) That Site Plan Control By-law No. 79-275, as amended by By-law 87-223, be amended by adding the subject Lands to Schedule "A".

3. That Zoning Application ZAC-98-10, Wentworth Construction Planning, applicant, for a change in zoning from "H" (Community Shopping and Commercial, etc) District (Block "1") and "C" (Urban Protected Residential, etc.) District (Block 2) to "DE" (Low Density Multiple Dwellings) District for lands located at 1516 Main Street West, as shown on the attached map marked as APPENDIX "C", be denied for the following reason:

the proposal is considered to be an over-intensification of the subject lands in that adequate buffering, landscaped area, parking and manouvering areas cannot be provided.

4. (a) That approval be given to City Initiative 98-A to amend By-law No. 79-275 establishing Site Plan Control, as amended by By-law No. 87-223, on the following basis:

(i) That SCHEDULE "A" to By-law No. 79-275 be amended by adding the "H" (Community Shopping and Commercial, Etc.) District between the "G-4" District and the "HH" District, and adding the "U" (University) District at the end thereof; and,

(ii) That section 1 of By-law No. 79-275 be amended by adding the following new subsections:

> The "AA" (Agricultural) District is hereby designated as a site plan area, and the following classes of development may be undertaken within the District without the approval of plans and drawings otherwise required under subsection 41.(4) of The Planning Act, R.S.O., 1990:
>
> > All Residential uses, Institutional uses, Commercial uses, Farming uses, Miscellaneous and Incidental uses, Certain Uses Not Restricted, Public uses except for churches and schools.

(iii) The "B" (Suburban Agriculture and Residential, etc.) District is hereby designated as a site plan area, and the following classes of development may be undertaken within the District without the approval of plans and drawings otherwise required under subsection 41.(4) of The Planning Act, R.S.O., 1990:

> All Residential uses, Institutional uses, Commercial uses, farming uses, Miscellaneous and Incidental uses, Certain Uses Not Restricted, Public uses except for churches, schools, colleges and universities.

(iv) The "C" (Urban Protected Residential, etc.) District is hereby designated as a site plan area, and the following classes of development may be undertaken within the District without the approval of plans and drawings otherwise required under subsection 41.(4) of The Planning Act, R.S.O., 1990:

> All Residential uses, Institutional uses, Miscellaneous or Incidental uses, Certain Uses Not Restricted, Public uses except for churches and schools.

(b) That By-law 87-223 to amend By-law 79-275 respecting Site Plan Control Areas be repealed; and,

(c) That By-law 79-275 be amended by deleting the first preamble and inserting the following:

> "WHEREAS section 41 of The Planning Act, R.S.O., 1990, provides as follows:
>
> > Where in an official plan an area is shown or described as a proposed site plan control area, the council of the local municipality in which the proposed area is situate may, by by-law designate the whole or any part of such area as a site plan control area.

(d) That a by-law passed under subsection (2) may designate a site plan control area by reference to one or more land use designations contained in a by-law passed under section 34;" and,

(e) That subsection 2 of By-law 79-275 be deleted and the following substituted therefore:

> "For the purpose of this by-law, the following classes of development mentioned in subsection 41(1) of The Planning Act, R.S.O., 1990, may be undertaken without approval of plans and drawings otherwise required under subsection 41(4) of the said Act.
>
> 1. single-family dwellings;
>
> 2. two-family dwellings."

(f) That the City Solicitor be directed to prepare a By-law to amend By-law No. 79-275 for presentation to City Council; and

(g) That the proposed changes to the by-law are in conformity with Official Plan for the City of Hamilton Planning Area; and,

(h) That an Information Notice regarding the Decision of Council be published in the newspaper.

5. (a) That Schedule 'A' of By-law 98-118 as amended, appointing the Barton Village B.I.A.'s Board of Management, be repealed and the following names substituted:

SCHEDULE 'A'

Alderman B. Morelli
Alderman D. Haining
Alderman A. Horwath
Alderman R. Corsini

(b) That the City Solicitor be authorized and directed to amend Schedule 'A' of By-law 98-118 pursuant to (a) above.

6. (a) That a grant under the Gore Heritage 2000 Program in the amount of $20,000 to Fortunata Rosalia Cotroneo and Susy Anna Cotroneo, registered owners of 54 King Street East be approved for facade improvements; and,

(b) That in respect of the stone masonry conservation work, the repairs only be funded if the repairs have been made by a contractor who has an approved Regional Trade Licence.

7. (a) That approval be given to the request by John Parente, Solicitor for 822827 Ontario Inc., owner (A. DiSilvestro), for a 1 year extension for exemption from part-lot control for the purpose of establishing maintenance easements for Lots 5, 6, and 7, located in "Wisemount Estates, Phase 7", Registered Plan No. 62M-794, as shown on APPENDIX "D"; and,

(b) That the appropriate by-law, to extend the removal of part-lot control until June 1, 1999 for Lots 5, 6 and 7, Registered Plan 62M-794, "Wisemount Estates, Phase 7" plan of subdivision, be enacted by Council.

8. (a) That approval be given to application CDM-98-01 (Regional File 25CDM-98001), Luft Enterprises Inc., applicant, to establish a draft plan of condominium, located at the south-west corner of Main Street East and Burris Street, and known municipally as 630-636 Main Street East, as shown on the attached map marked as APPENDIX "E", to provide for a condominium comprised of a total of 6 residential apartment units and 4 commercial units within the existing two storey building, subject to the following conditions:

(i) That this approval apply to the attached draft plan prepared by R. Avis Surveying Inc. and certified by R. Avis, O.L.S., dated December 5, 1997, showing a total of 6 residential apartment units and 4 commercial units within an existing two storey building, and revised as shown; and,

(ii) That a minimum of 7 parking spaces shall be identified as common area on the final plan; and,

(iii) That the owner enter into an encroachment agreement with the City of Hamilton for the existing concrete window wells which encroach into the Burris Street road allowance, to the satisfaction of the Manager of Development, Development Engineering Section, Regional Environment Department; and,

(iv) That prior to approval of the final plan:

(1) Property taxes shall be in good standing.

(2) The owner shall make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for in the Planning Act.

(3) That any variances required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593.

(v) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton.

(b) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

9. (a) That approval be given to application CDM-98-02 (Regional File 25CDM-980003), 829030 Ontario Ltd. (Gordon Albini), owner, to establish a draft plan of condominium, located at the south east corner of Harlowe Road and Anchor Road, and known municipally as 16 Harlowe Road, as shown on the attached map marked as APPENDIX "F", to provide for a condominium comprised of a total of 5 industrial units within the existing one storey building, subject to the following conditions:

(i) That this approval apply to the attached draft plan prepared by Bryan Jacobs, O.L.S., dated February 23, 1998, showing a total of 5 industrial units within an existing one storey building; and,

(ii) That the applicant be required to enter into a Site Plan Agreement with the City and that the Condominium Corporation be required to enter into and register on title (prior to the sale of any unit) the Agreement of the Condominium corporation to assume and be bound by the Site Plan Agreement; and,

(iii) That the applicant enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,

(iv) That the owner remove the existing landscape boulders from within the existing road allowance adjacent to the site, or that the owner enter into an Encroachment Agreement with the City of Hamilton to the satisfaction of the Commissioner of Regional Transportation Department; and,

(v) That prior to approval of the final plan:

(1) Property taxes shall be in good standing.

(2) That any variances required in respect to the draft plan of condominium shall receive final approval by the Committee of Adjustment, in order that the draft plan of condominium is in compliance with the General Zoning By-law No. 6593.

(3) That the applicant apply for and receive approval of a revised Site Plan Control application for DA-90-27.

(vi) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton.

(b) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

10. That approval be given to the request by St. Peter's Hospital, owner, at 88 Maplewood Avenue, as shown on the attached map marked as Appendix "G", for an extension to the approval of Site Plan Control Application DA-95-21 to May 30, 1999, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.

11. That the following new owner acknowledgment and responsibility clauses be incorporated into the City's standard site plan agreement:

"1. (a) The Owner represents that its obligations under the Ministry of Environment and Energy "Guidelines for Use at Contaminated Sites in Ontario" (February, 1997) have been met; and,

(b) The Owner agrees to, at all times, indemnify and save the City harmless from and against any and all claims, demands, losses, costs, charges, expenses, actions and other proceedings made, brought against, suffered by or imposed on the City in respect of any failure by the Owner to fulfil its obligations in respect of the land described in Schedule "A" hereto under this Agreement, or at law, for soil contamination (if any) and/or remediation of such contamination."

12. That the Chairman of the Committee of Adjustment or his nominee and other member of the Committee of Adjustment be authorized to attend the 1998 Annual Conference of the Ontario Association of Committees of Adjustment and Consent Authorities to be held for four days, 1998 May 31 and 1998 June 1 - 3 in Sarnia, Ontario at an expense not to exceed $900 each to be charged to Account No. CH55201-10010, Legislative Travelling.

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

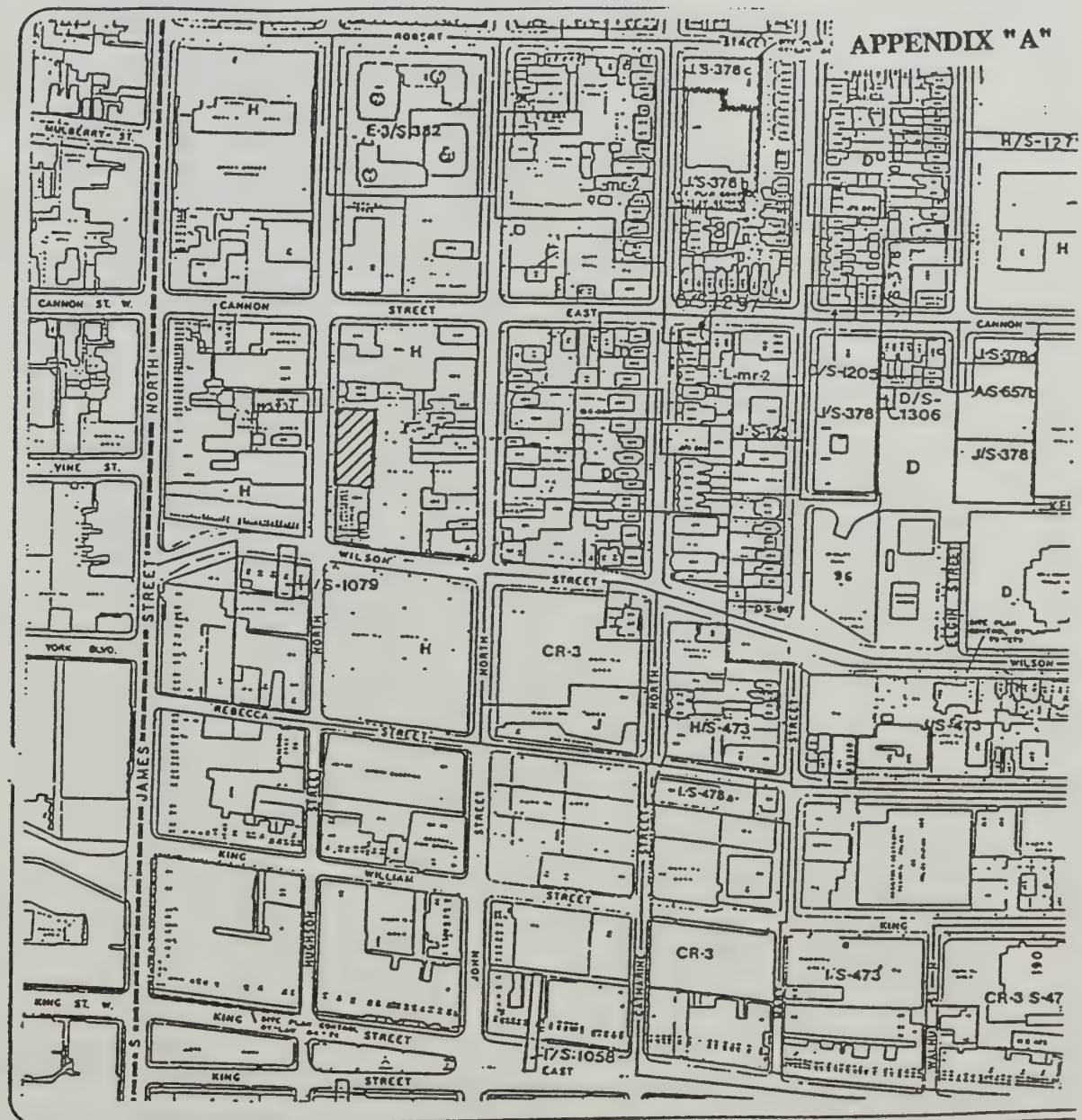
(a) C-72 A By-law to Extend By-law No. 97-032 as Amended by By-law No. 97-103 Respecting Land Within the "Wisemount Estates, Phase 7" Subdivision (62M-794) Plan 62R-13901.

(b) C-73 A By-law to Amend Zoning By-law No. 6593 and to Repeal Zoning By-law No. 98-128 Respecting Land Located at Municipal No. 243 Fennell Avenue East.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1998 May 6



Legend

Site of the Application

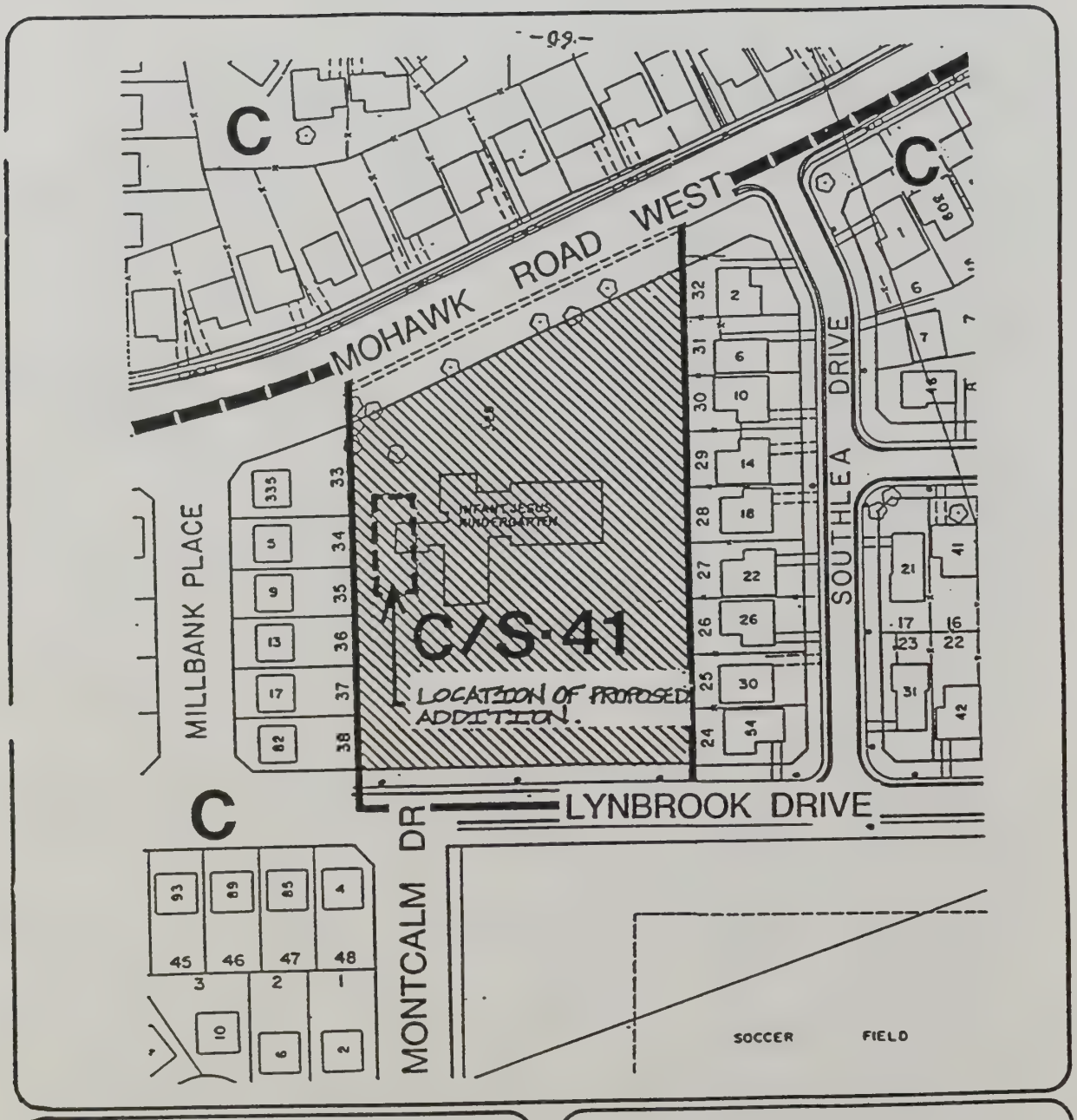
City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No
	NOT TO SCALE	ZAC-98-08
	Date	Drawn By
	FEBRUARY, 1998	D.L.

Appendix "B" referred to in Section 2(a) of the NINTH Report of the Planning and Development Committee for 1998.



Legend

Further modification to the "C" (Urban Protected Residential, etc.) District.

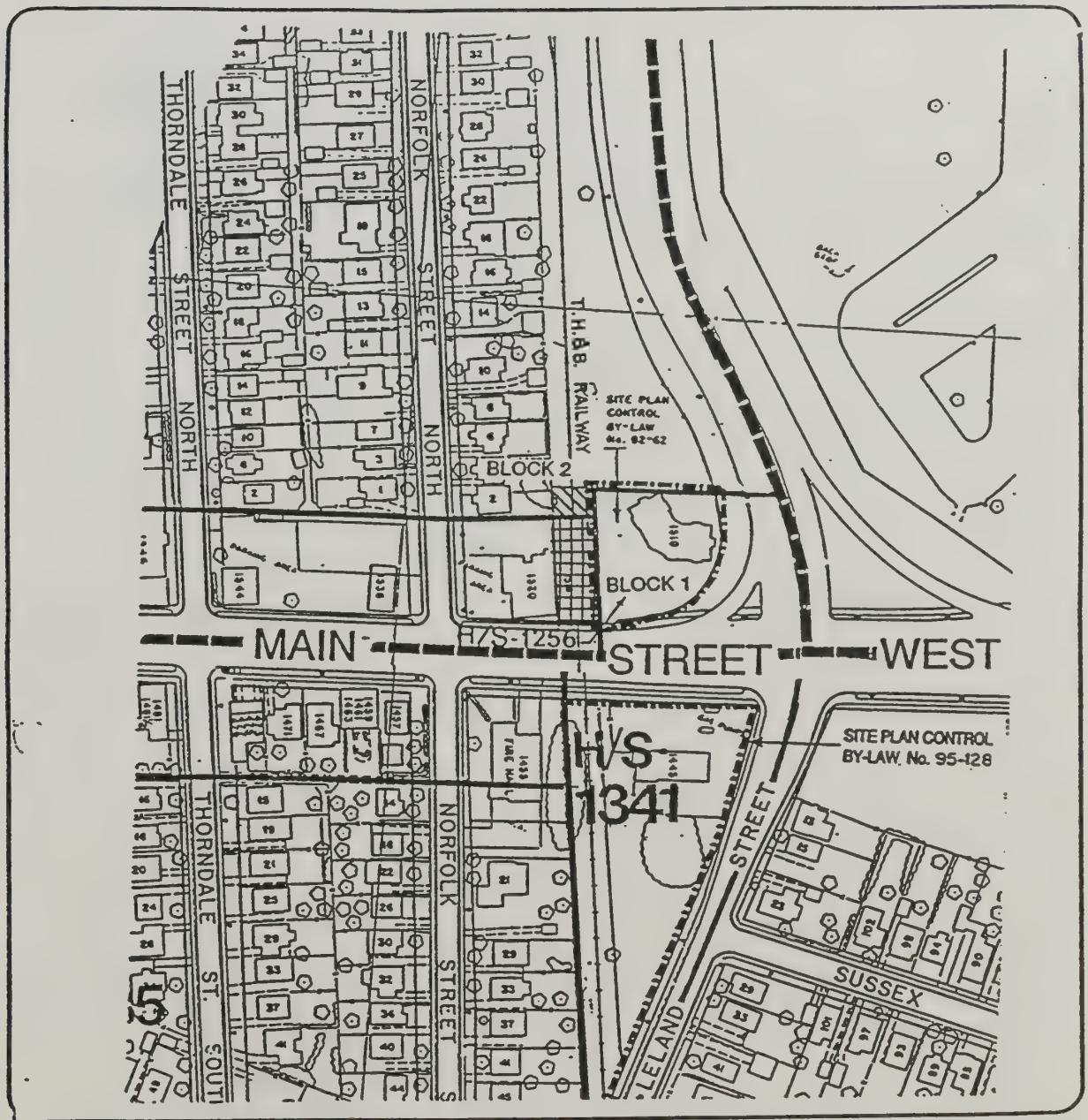
City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-97-36
	Date	Drawn By
	NOVEMBER, 1997	F.A.

Appendix "C" referred to in Section 3. of the NINTH Report of the Planning and Development Committee for 1998.



Legend

BLOCK 1 From "H" (Community Shopping and Commercial, etc.) District To "DE"(Low Density Multiple Dwellings) District, Modified.

BLOCK 2 From "C (Urban Protected Residential, etc.) District, To "DE"(Low Density Multiple Dwellings) District, Modified.

City of Hamilton

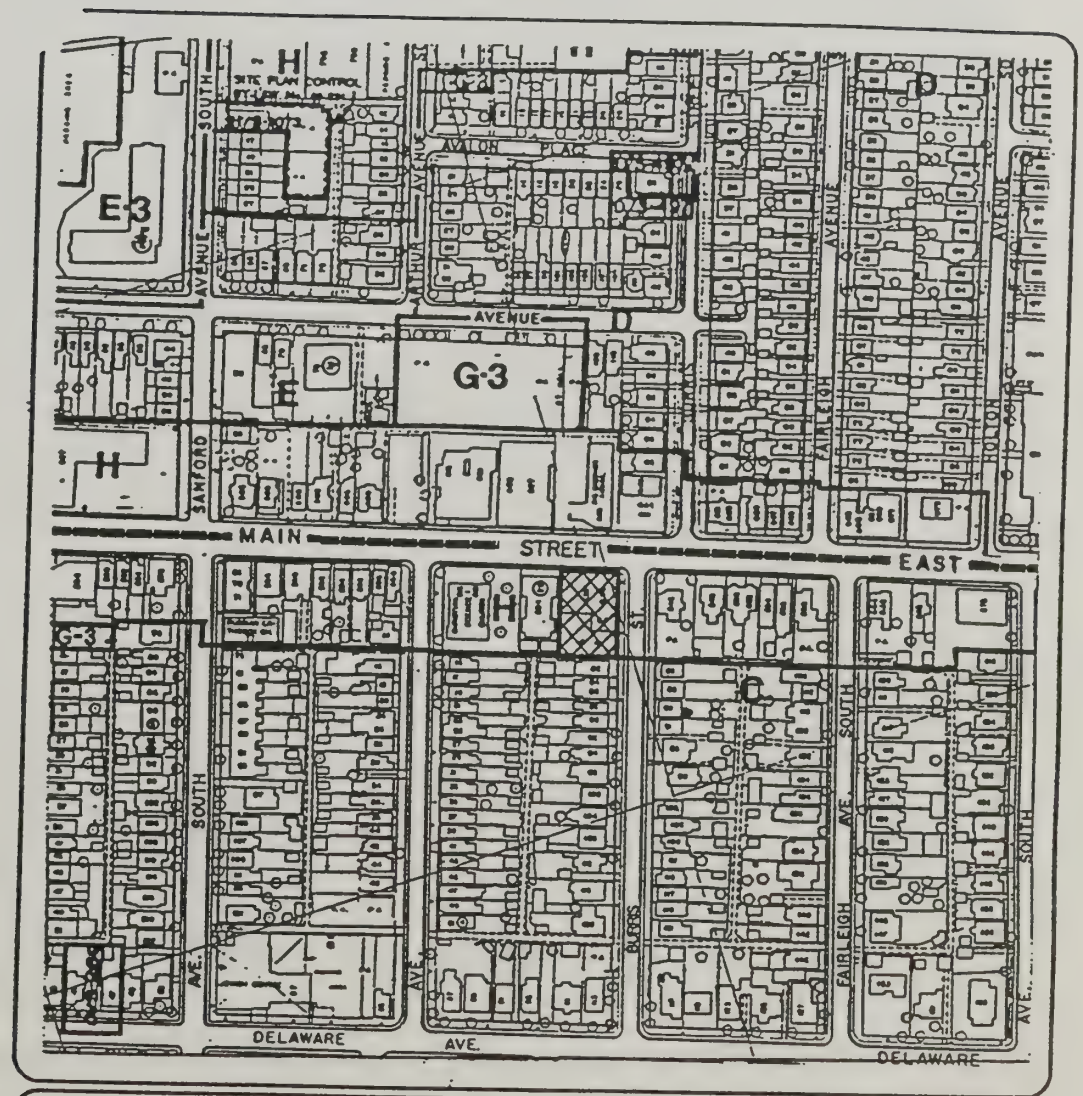
Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-10
	Date	Drawn By
	March 1998	R. L.

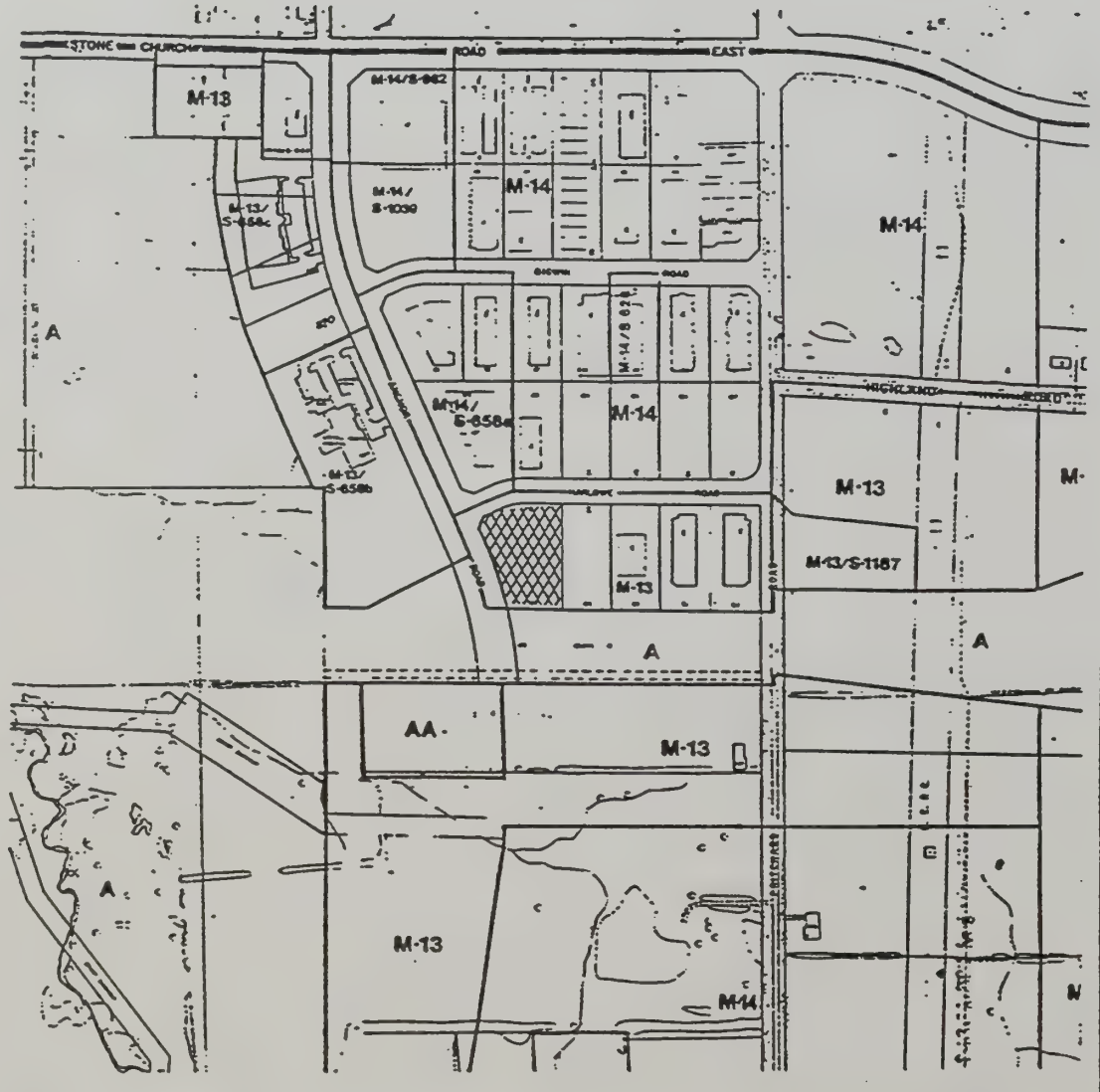
Appendix "D" referred to in Section 7(a) of the NINTH Report of the Planning and Development Committee for 1998.

Appendix "A


E-3
G-3
H
MAIN
STREET
EAST
DELAWARE
AVE.
SOUTH
AVENUE
FAIRLEIGH
SANFORD
BLOOR
Legend
Site of the Application
City of Hamilton
Location Map
Planning and Development Department
North
Scale
NOT TO SCALE
Reference File No.
CDM-98-01
Date
APRIL, 1998
Drawn By
B.B.

Appendix "F" referred to in Section 9(a) of the NINTH Report of the Planning and Development Committee for 1996.

APPENDIX "A"



City of Hamilton

Location Plan For

16 Harlowe Road

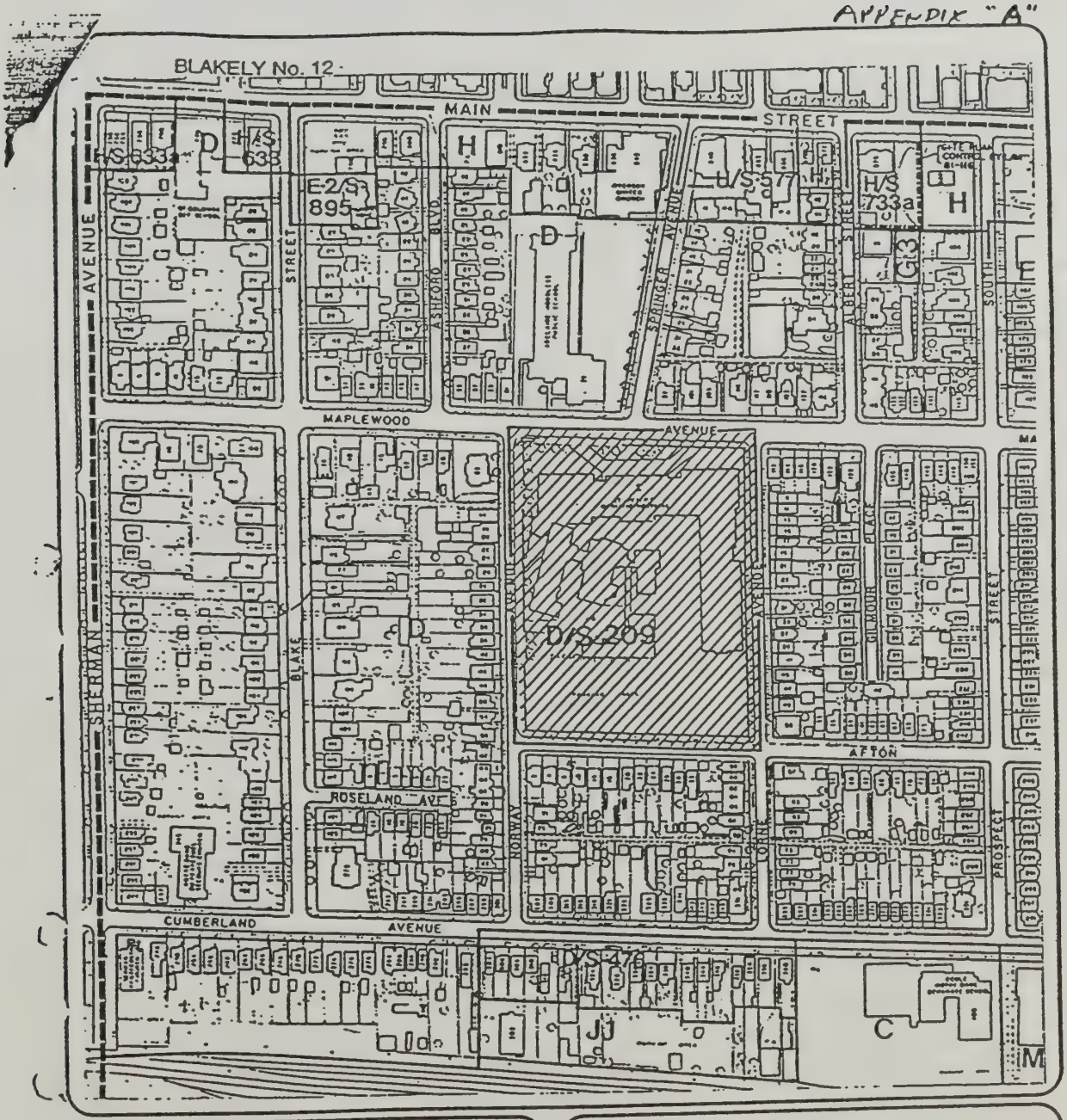
Planning and Development Department

Legend

Location of Subject Lands

North	Scale	Reference File No.
	Not to Scale	CDM-98-02
	Date	Drawn By
	April 1998	FAB

APPENDIX "A"



City of Hamilton

Plan Showing Lands Subject to

Site Plan Control
Application DA-95-21

Planning and Development Department

Legend

Site of the Application

North	Scale	Reference File No.
	Not to Scale	DA-95-21
	Date	Drawn By
	JULY 1995	D.L

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRTEENTH** Report for 1998 and respectfully recommends:

1. That purchase orders be issued for the supply and delivery of annual supplies for various City departments as and when required during 1998 in accordance with specifications issued by Purchasing, and Vendors' tenders, to those suppliers listed in this report and to be financed through various approved accounts.

(a) Aggregates

	Supplier	Material	Unit Pricing Tractor Trailer Tandem	Unit Pricing Tri-Axle
(i)	Cayuga Materials	Granular "A"	$ 7.49	$ 8.49
(ii)	Redlands	Granular "A"	8.00	9.50
(iii)	Taro Aggregates Ltd.	19mm Clear	9.00	9.00
(iv)	Cayuga Materials	9.5mm Chips Washed	11.65	12.65
(v)	Taro Aggregates Ltd.	53mm Clear	9.00	9.00
(vi)	Redland Quarries	#8 Dust Suppressed Grits	31.25	31.75
(vii)	Flamboro Quarries	Athlete Field Lime	14.95	15.55
(viii)	Cayuga Materials	9.5mm Crusher run	7.49	8.49
(ix)	Redland Quarries	19mm Crusher Run	8.00	8.50
(x)	Cayuga Materials	53mm Crusher Run	7.49	8.49
(xi)	Vinemount Quarries	Rubble Stone	9.75	9.75
(xii)	Vinemount Quarries	75-200mm Gabion Stone	11.00	11.00
(xiii)	Cayuga Materials	9.5mm Screenings	7.95	8.95
(xiv)	Redland Quarries	9.5mm Screenings	8.00	8.50

Note that all prices are on a per tonne basis. GST and PST extra where applicable.

(b) Mixed Portland Cement Concrete

		Delivered	Picked Up
(i)	Sidewalk, Curb & Roadway Concrete		
	(1) Dufferin Concrete Products	$103.25	$ 93.25
	(2) Lafarge Construction Material	98.75	91.00
	(3) Hamilton Ready Mix	116.50	100.00
(ii)	Unshrinkable Fill		
	(1) Dufferin Concrete Products	$ 52.00	$ 45.00
	(2) Blue Circle (CBM)	48.00	no quote
	(3) Lafarge Construction Material	58.00	53.00

Note that all prices are on a cubic metre basis.

(c)	Asphaltic Concrete and Bituminous Materials		
(i)	Asphalt Surface Course (H.M.3)		
	(1) Capital Paving	picked up	$ 42.50
	(2) Lafarge Construction Materials	picked up	43.75
	(3) Cayuga Materials & Construction Co. Ltd.	picked up	44.25
(ii)	Asphalt Binder Course (H.M.5)		
	(1) Cayuga Materials & Construction Co. Ltd.	picked up	$ 43.00
	(2) Lafarge Construction Materials	picked up	43.50
	(3) Capital Paving	picked up	44.50
(iii)	HLS030 Hot Lay, HL-3(HS) Asphalt		
	(1) Cayuga Materials & Construction Co. Ltd.	picked up	$ 43.50
	(2) Capital Paving	picked up	44.75
	(3) Lafarge Construction Materials	picked up	44.00
(iv)	Cold Laid Stockpiled Patching Material		
	(1) Lafarge Construction Materials	picked up	$ 62.50
	(2) Capital Materials	picked up	48.75

(v) Cold Laid Stockpiled Patching Material

(1)	Lafarge Construction Materials	delivered	$ 67.50
(2)	Capital Materials	delivered	51.25

(vi) Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

(1)	Cayuga Materials		picked up	$ 48.75
(2)	Cayuga Materials	QPR2000 Fine	picked up	68.00

(vii) Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

(1)	Cayuga Materials		delivered	$ 48.75
(2)	Cayuga Materials	QPR2000 Fine	delivered	75.00

Note that all prices are on a per tonne basis unless otherwise noted.
GST and PST extra where applicable in all sections.

2. That the City of Hamilton provide funding, in the amount of $1,500, to co-host a dinner reception at the Hamilton Convention Centre on Saturday, 1998 May 30th, to commemorate the 50th Anniversary of People who emigrated from Malta and settled in the Hamilton Area, to be charged to the Special Receptions/Dignitaries Hosting Account No. CH54314-84010.

3. (a) That the City of Hamilton's Licensing By-law No. 93-069 be amended by deleting Schedule 5, respecting the licensing and regulating of cartage businesses; and,

(b) That the City Solicitor be authorized and directed to prepare the appropriate amending by-law.

4. That Bill No. D-22: A By-law respecting Smoking in Public Places and the Workplace, tabled by City Council at its meeting held 1998 March 31, be lifted from the table and approved.

5. That outstanding business taxes in the amount of $498,116.79 be written off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account CH53401 24106, Tax Write-offs.

6. That as referred to in Section 4 of the Twelfth Report for 1998 of the Finance and Administration Committee, the cost of the Social and Economic Impact Study for Charity Gaming Clubs, at an estimated amount of $20,000, be financed from the 1998 Current Budget, Account Centre No. CH24101-55046.

7. That in keeping with Ontario Hydro's policy respecting the appointment of Commissioners to Municipal Commissions, that the City submit to Ontario Hydro, the names of Ollie Thomson and George Davidson to assist Ontario Hydro in making its citizen appointment to the Hamilton Hydro-Electric Commission.

8. (a) That during the period of July to September, 1998, City Council meet as Committee of the Whole in one-day sessions to consider all Standing Committee agendas followed by the formal City Council Meetings on Tuesday, 1998 July 7 and Tuesday, 1998 September 8; and,

   (b) That the regular series of Standing Committee and City Council Meetings be cancelled for July, August and the first series of meetings in September; and,

   (c) That the one-day special meetings on July 7 and September 8 be for the purpose of considering only non-delegation items of each Standing Committee; and,

   (d) That notwithstanding the City of Hamilton Procedural By-law which provides for a minimum of 24 hours notice for a Special City Council Meeting, that the City Clerk be directed to provide a minimum of 72 hours notice if a Special City Council Meeting is required during the period between July 7 and September 8 in order to permit Members of City Council sufficient time to return to the City of Hamilton for any Special Meetings if they are out of town.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Copps, Wilson, Eisenberger. -4. **CARRIED.**

9. (a) That approval be given to issue a purchase order in the amount of $304,929.67 inclusive of G.S.T.($19,948.67) and a contingency of ($25,000) to commission Comstock Canada Ltd. of Hamilton for the supply and installation of four (4) new boilers at City Hall being the lowest of two quotations received in accordance with the specifications (Ref:C6-4897) issued by the Purchasing Division; and,

(b) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,

(c) That authorization be given to combine the funding from Capital Fund Accounts - Replace Boilers - City Hall - CF319741037 ($145,000) and Domestic Hot Water System - City Hall - CF319251003 ($100,000) along with the authorized increase into one project named City Hall - Replace Boilers and the above referenced expenditure be financed from this new account accordingly; and,

(d) That the Finance and Administration Committee authorize an increase to the budget in the amount of $85,000 and recommend a method of financing.

10. That the City Treasurer be directed to close the following Capital Project Accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Gross Cost	Total Expense	Excess	Source of Financing
329241002	Construction of Computer Room - City Hall	628,590	461,624	166,966	Reserve for Capital Projects & Various Other CF Accounts
709041010	Soil Test/Prem Work - TPA	75,000	53,773	21,227	Reserve for Capital Projects
719141007	Whitehern Restoration	694,460	681,862	12,598	Reserve for Capital Projects, Province, Federal & Interest Income
719355010	Dundurn Castle Restoration Study	17,460	14,910	2,550	Reserve for Capital Projects & Current Budget
629454011	Ivor Wynne - Renovations	250,000	249,830	170	Reserve for Park Improvements
709355009	Hamilton Aquatic Centre	50,000	51,033	-1,033	Reserve for Capital Projects
709641021	Convert Chlorination System - Pools	180,000	162,596	17,404	Reserve for Capital Projects

11. That the following vacation entitlement procedure be inserted in the Human Resource Policy and Procedure Manual (Sub-section (b), as referenced below is new):

    All Non Union Full Time Employees:

    (a) At least two weeks of vacation time must be taken as a block of time. The remaining portion of the vacation can be taken as determined between the supervisor and the employee; and,

    (b) Any unused vacation time at the end of a calendar year may be carried forward for one year. Vacation carried forward, which has not been taken by December 31 of the year into which it is carried, is to be paid out at the salary rate of the preceding December 31; and,

    (c) This time off is to be recorded on the Daily Absence Status Report as absence code "V" = Vacation.

12. (a) That the City resolve Ontario Court (General Division) Action No. 21938/90 by the payment to the Plaintiffs, Maria and Rose Giammichele of the sum of $173,789.66 inclusive of all claims for damages, interest and costs; and,

    (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

    (c) That Ontario Court (General Division) Action No. 21938/90 be dismissed without costs.

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

    (a) D-22 A By-law respecting: Smoking in Public Places and the Workplace.

    (b) D-27 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 May 5

Minutes of Committee of the Whole\City Council
Thursday, 1998 May 14
1:00 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan.

Absent: Alderman T. Anderson - Personal business

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Corsini that the Report of the Committee of the Whole on the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Charters, Kelly, O'Sullivan. -12.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - ELEVENTH REPORT
1998 Capital Budget
Bill E-006

Section 1 Re: 1998 Capital Budget

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Wilson, Eisenberger, Kelly, O'Sullivan. -7

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Charters. -5 **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Corsini that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Charters, Kelly, O'Sullivan. -12.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 1:05 o'clock p.m.

* * * * * * * * * * * * *

Taken as read and approved.

MAYOR R. MORROW

J. J. Schatz
1998 May 14
JJS/dg

URBAN MUNICIPAL

JUN 12 1998

REPORT OF THE COMMITTEE OF THE WHOLE

GOVERNMENT DOCUMENTS

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **ELEVENTH** Report for 1998 and respectfully recommends:

1. (a) That the City of Hamilton 1998 Capital Budget, as outlined on the attached Schedule "A", be approved and that the 1999-2007 Capital Forecast based on program funding allocation as outlined on Schedule "B" attached, representing the following financial parameters per attached Schedule "C", also be approved:

   (i) the average debenture charges expressed as a percentage of levy be 12.48% for the ten (10) year period; and

   (ii) the average compound rate of increase per year in debenture charges be 0.89%.

   (b) That the provision for capital levy with specific reference to the "Pay-As-You-Go" policy, be maintained at a similar level (up to the year 2002) with a two million dollar capital levy in 1998, a three million dollar capital levy in 1999, a four million dollar capital levy in 2000, a five million dollar capital levy in 2001, a six million dollar capital levy in 2002, a seven million dollar capital levy in 2003, a eight million dollar capital levy in 2004, a nine million dollar capital levy in 2005, and a ten million dollar capital levy in 2006 and 2007.

   (c) (i) That the 1998 projects be approved for implementation as outlined on the following pages: (Schedule "A" - Page 1 and 2) indicating the method of financing, and that the originating Department Heads be directed to proceed with these projects except Project No. 164 (Schedule "A" - Page 2), Waterfront Trail - CN Land Acquisition $2,000,000 and Project No. 177.1 (Schedule "A" - Page 2). Red Hill Valley - Recreation and Open Space Master Plan Implementation $600,000; and

   (ii) That the City Solicitor be authorized to prepare the appropriate by-laws for Projects marked "DEB" (Schedule "A" - Pages 1 and 2 - Column 18) with debenture financing in the total amount of $12,877,000; and

   (iii) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures for a term not to exceed ten years as required for the above Project noted in (ii) requiring debenture financing for the year 1998.

(d) That the financing of the Waterfront Trail Development (Project No. 164 noted above) in the amount of $2,000,000 from the Reserve for Property Purchase be set aside separately and the staff be directed to bring back a report before 1998 June 30 in relation to Project No. 164, Waterfront Trail - CN Land Acquisition outlining the feasibility of this project and the Status of the Waterfront Trail Development Project previously authorized by Council.

(e) That staff be directed to proceed with implementation of the Red Hill Valley Recreation and Open Space Master Plan only upon receipt of the land sale funding from the Regional Municipality of Hamilton-Wentworth.

(f) That staff be directed to review the City's Current Cost Sharing policy adjacent to 0.30 metre reserves, under subdivision and modified subdivision agreements as referred to in the Capital Budget as the City's Share of Services through Unsubdivided Lands, and report back to the appropriate committee recommending alternatives to the existing policy.

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Wilson, Eisenberger, Kelly, O'Sullivan. -7

NAYS: Aldermen Kiss, Morelli, Haining, Copps, Charters. -5 **CARRIED**

2. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-006 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 May 14

The Corporation of the City of Hamilton

1998–2007 Capital Budget Program

Changes Made by the Committee of the Whole 1998 April 16, April 23, May 6 & May 14 and Special Fin. & Admin. Comm. May 11

(Thousands of Dollars)

Project No. (1)	Description (2)	Committee recommendation (3)	Net City Cost (4)	Line No. (5)
	1998			1
	Net City Cost (Schedule "A" – Page 2) Per 1998 April 9 Review		$22,794	2
216.0	Revised H.E.C.F.I. Project (Replacement & Renovations for Facility & Equipment) from $650,000 to $415,000		(235)	3
	Net City Cost Recommended by the Corporate Management Team for consideration of the Committee of the Whole 1998 April 9		22,559	4
13.0	Civic facilities Capital Repair Reserve – Major Maintenance	Project Deleted	(140)	5
20.1	Parking Lot Improvements	Project Deleted	(180)	6
30.1	Ivor Wynne Stadium – Renovations and Repairs	Project Deleted	(80)	7
35.0	Sir Wilfrid Laurier	Transfer from 1998 to 1999	(150)	8
25.1	Golf Course Redevelopment – Chedoke	Financing revised to Reserve for Golf Course Development	0	9
138.0	Downtown Hamilton Improvement Plan – Phase II	Same as $2 million	0	10
145.1	Road & Sidewalk Reconstruction Program	Increased to original request of $6.519 million	687	11
167.1	Play Structure Redevelopment – Additional	Net Increase by $100,000 from $100,000 to $200,000	100	12
168.1 & 168.2	Park Development and Redevelopment Program	Net Increase by $300,000 from $600,000 to $900,000	300	13 14
3.0	City Places – Downtown – Capital Contribution	Added to 1998	1,500	15
128.0	Drive Clean Program	Transfer from 1998 to 1999 – May 6th meeting	(95)	16
138.0	Downtown Improvement Plan – Phase II – Part	Delete Wall Murals from the Program & Loan Program	(240)	17
		1998 Net City Cost	24,261	18
	1999			19
	Net City Cost (Schedule "B" – Page 2) per 1998 April 9 Review		$23,502	20
217.1	Revised H.E.C.F.I. Project (Replacement & Renovations for Facility & Equipment) from $320,000 to $300,000		(20)	21
	Net City Cost Recommended by the Corporate Management Team for consideration of the Committee of the Whole 1998 April 9		23,482	22
72.0	Riverdale Recreation and Senior Centre	Added to 1999	4,250	23
35.0	Sir Wilfrid Laurier	Transfer from 1998 to 1999	150	24
128.0	Drive Clean Program	Transfer from 1998 to 1999 – May 6th meeting	95	25
		1999 Net City Cost	27,977	26
	2000			27
	Net City Cost (Schedule "B" – Page 4)		$20,787	28
217.2	Revised H.E.C.F.I. Project (Replacement & Renovations for Facility & Equipment) from $330,000 to $370,000		40	29
		2000 Net City Cost	20,827	30

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The Corporation of the City of Hamilton

1998–2007 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

As authorized by the Committee of the Whole on 1998 April 16, April 23, May 6 & May 14 and Special Fin. & Admin. Comm. on May 11

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		1998																	
2.0	BLDG	DOWNTOWN CONVERT/RENOVATE–TO–RENT LOAN PROGRAM	1998	1999	200		200										CL		
3.0	BLDG	CITY PLACES – DOWNTOWN – CAPITAL CONTRIBUTION	1998	1998	1,500		1,500										DEB	214	
6.0	CLERK	ELECTION SYSTEM REPLACEMENT AND ACQUISITION	1998	2000	550		550										CL		(100)
7.0	IS	CORPORATESOFTWARE – WINDOWS SOFTWARE	1998	1998	95		95										CL		
8.0	IS	STAFF PC SOFTWARE TRAINING	1998	1998	140		140										CL		
9.1	IS	CORPORATE NETWORK IMPROV. COMMUNICATIONS INFRASTRUCTURE	1998	1998	50		50										CL		
10.1	IS	CORPORATE NETWORK EXT. COMMUNICATIONS INFRASTRUCTURE	1998	1998	84		84										CL		
12.1	C&R	RISK MANAGEMENT – VARIOUS FACILITIES	1998	1998	110		110										DEB	16	
14.1	C&R	CHEDOKE TWIN PAD ARENA – REMEDIAL & OPERAT'L IMPROVEMENTS	1998	1998	250		250										DEB	36	(5)
17.1	C&R	CITY HALL – 1998 RETROFIT – PHASE I	1998	1998	250		250										DEB	36	
22.0	C&R	HAMILTON STEAM & TECHNOLOGY MUSEUM – OPERATIONAL IMPROV.	1998	1998	440		440										DEB	63	(20)
23.0	C&R	JIMMY THOMPSON POOL REMEDIAL WORK	1998	1998	80		80										CL		0
25.1	C&R	GOLF COURSES REDEVELOPMENT – CHEDOKE	1998	1998	60		60										RGCI		(20)
32.0	C&R	BUILDING AUTOMATION SYSTEM – PHASE II STUDY	1998	1998	30		30										CL		0
37.0	C&R	MILITARY MUSEUM & DUNDURN PAVILION RE–ROOFING	1998	1998	95		95										DEB	14	
46.0	C&R	CUP COMMUNITY ENERGY SYSTEM – FEASIBILITY STUDY	1998	1998	150	75	75										CL		0
53.0	C&R	CUP – REPAIRS TO MAIN HEATING BOILERS	1998	1998	100		100										DEB	14	0
62.1	C&R	RESTORATION OF ARCHITECTURAL FEATURES, HISTORICAL SITES	1998	1998	40		40										CL		0
121.0	FIRE	VEHICLE / APPARATUS REPLACEMENT	1998	1998	1,053		1,053										RRME		
126.0	PWD–F	VEHICLE REPLACEMENT PROGRAM	1998	1998	2,268		2,268										RRME		
129.0	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1998	1998	1,200		1,200										RSTUL/RDC		19
132.0	ROAD	LOCK STREET BRIDGE – ROADWAY MAINTENANCE	1998	1998	40		40										DEB	6	
133.1	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	1998	1998	60		60										DEB	9	
135.1	PWD–T	TRAFFIC SIGN REPLACEMENT	1998	1998	75		75										CL		(1)
136.0	PWD–T	TRAFFIC SIGNAL MODERNIZATION	1998	1998	62		62										CL		

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The Corporation of the City of Hamilton

1998–2007 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

As authorized by the Committee of the Whole on 1998 April 16, April 23, May 6 & May 14 and Special Fin. & Admin. Comm. on May 11

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		1998 – Continued																	
138.0	PWD–S	DOWNTOWN HAMILTON IMPROVEMENT PLAN – PHASE II	1998	1998	1,760		1,760										DEB/RCP	218	37
142.0	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	1998	1998	250		250										CL		
145.1	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1998	1998	6,519		6,519										DEB	928	
164.0	PWD–P	WATERFRONT TRAIL – CN LAND ACQUISITION	1998	1998	2,000		2,000										RPP		0
165.0	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	1998	1998	217	17	200										RPL		3
167.1	PWD–P	PLAYSTRUCTURE REDEVELOPMENT – ADDITIONAL	1998	1998	212	12	200										RDC		2
168.1	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1998	1998	73		73										RPL		
168.2	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1998	1998	827		827										RDC		50
175.0	PWD–P	WARDEN PARK – PATHWAY IMPROVEMENTS	1998	1999	50	50													
177.1	PWD–P	RED HILL VALLEY – RECREATION AND OPEN SPACE	1998	1998	600		600										RRHCD		55
215.0	TR	CORPORATE FINANCIAL INFORMATION SYSTEM	1998	1999	5,500	3,250	2,250										CL/DEB	282	
216.0	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1998	1998	415		415										RCP–H		(36)
227.1	PA	ELECTRONIC PARKING METER EXPANSION AND REPLACEMENT	1998	1998	80		80										ROSP		
229.1	PA	PAVING AND RETROFIT OF CARPARKS	1998	1998	180		180										ROSP		
		Sub–total Provisional 1998 Capital Budget (NET CITY COSTS – 24,261)			27,665	3,404	24,261	0	0	0	0	0	0	0	0	0		1,836	(16)

1998 May 14

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The Corporation of the [redacted] of Hamilton

1998–2007 Provisional Capital Budget Program

Schedule "B–Summary"

Projects By Program, Year & Department Priority

(Thousands of Dollars)

As adjusted by the Committee of the Whole on 1998 April 16, April 23, May 5 & May 14 and Special Fin. & Admin. Comm. on 1998 May 11

PROG. No. (1)	PROJECT DESCRIPTION (2)	DEPT (3)	Program Funding Considered: 1998–2007 % (4)	GROSS COST (5)	COST SHARING (6)	NET COST (7)	NET (City's Costs) PROJECTS COSTS PER PROGRAM FUNDING ALLOTMENTS: 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	Annual Operating COST (18)
A	ASSET MANAGEMENT																
A	*Roads (& Bridge, Railway Crossings)*	*PW/Roads*	90%	82,886	0	82,886	6,869	7,071	7,473	8,049	8,284	8,528	8,785	9,050	9,253	9,524	0
D	*PW&T Parking Lots – Public*	*PW&T*	90%	3,653	0	3,653	260	180	185	235	237	650	396	445	430	635	0
E	*Vehicle Replacement Program*	*PW/Fire*	90%	32,573	0	32,573	3,321	2,584	2,751	2,974	3,723	3,571	3,244	3,519	3,014	3,872	0
F	*Signals and Signs*	*PW&T*	90%	861	0	861	137	139	66	143	70	72	0	76	78	80	(3)
H	*Play Structure*	*PW&T*	90%	2,282	182	2,100	400	200	200	200	150	200	200	150	200	200	32
K	*Facility Management – Basic*	*C&R/Bldg.*	90%	12,684	0	12,684	635	1,627	3,931	1,170	922	859	859	882	940	859	42
O & P	*Fire Master Plan – Basic retrofit*	*FIRE*	90% & 75%	2,883	0	2,883	0	750	239	1,894	0	0	0	0	0	0	1
V	*Park Development–Basic Maintenance*	*PW&T*	100%	1,023	50	973	73	100	100	100	100	100	100	100	100	100	0
Y	*Library Branch Upkeep*	*Library*	90%	635		635				635							0
	Sub–total Asset Management			139,480	232	139,248	11,695	12,651	14,945	15,400	13,486	13,980	13,584	14,222	14,015	15,270	72
B	SERVICE ENHANCEMENT																
B	*Sub–Division Development*	*ROADS*	75%	9,850	0	9,850	1,200	900	900	950	950	950	1,000	1,000	1,000	1,000	19
C	*Storm Water Quality*	*ROADS*	100%	300		300		300									0
G	*Park Development – Enhancement*	*PW&T*	75%	17,376	1,159	16,217	1,427	1,655	1,290	1,469	1,768	1,150	1,196	1,970	1,075	3,217	837
I	*New Park Land Acquisition*	*PW&T*	75%	6,000		6,000	2,000	500	0	500	500	500	500	500	500	500	128
J	*Community Renewals*	*PW&T*	75%	705	0	705	0	105	105	105	65	65	65	65	65	65	15
L	*Facility Enhancement – Retrofit*	*C&R*	75%	57,829	1,020	56,809	895	5,250	1,500	3,500	4,500	7,000	8,000	8,500	9,500	8,164	646
M	*Facility Enhancement – New*	*C&R*	75%	12,935	6,290	6,645	0	0	0	150	3,810	2,685	0	0	0	0	1,083
S	*Library Branch Upkeep & Retrofit*	*Library*	75%	436	0	436	0	56	0	0	0	0	380	0	0	0	0
T	*HECFI Replacement/Retrofit*	*HECFI*	100%	5,345	0	5,345	415	755	850	230	590	505	300	300	900	500	(36)
W	*Roads – Enhancement*	*PW&T*	75%	216		216	0	144	36	36	0	0	0	0	0	0	40
	Sub–total Service Enhancement			110,992	8,469	102,523	5,937	9,665	4,681	6,940	12,183	12,855	11,441	12,335	13,040	13,446	2,732
C	SPECIAL PROJECT																
N	*Information Systems*	*IS/Others*	100%	7,187	3,250	3,937	3,169	484	84	50	50	0	0	0	0	100	(56)
R	*Downtown Development*	*PW/Bldg.*	75%	11,497	317	11,180	3,460	2,200	2,200	2,200	827	143	50	50	50	0	209
X	*Miscellaneous Other*	*Various*	0%	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sub–total			18,684	3,567	15,117	6,629	2,684	2,284	2,250	877	143	50	50	50	100	153
Total 1998–2007 Prov. Capital Budget for approval of the Committee				269,156	12,268	256,888	24,261	25,000	21,910	24,590	26,546	26,978	25,075	26,607	27,105	28,816	2,957
D	U *Projects – Outside the Ten Year Plan*			247,097	108,232	138,865											
TOTAL CAPITAL BUDGET REQUEST CONSIDERED				516,253	120,500	395,753											

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The Corporation of the City of Hamilton

1998–2007 Provisional Capital Budget Program

Schedule "B"

Projects By Year

(Thousands of Dollars)

As authorized by the Committee of the Whole on 1998 April 16, April 23, May 6 & May 14 and Special Fin. & Admin. Comm. on May 11

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		1999																	
1.0	BLDG	DIGITAL IMAGING OF ZONING MAPS	1999	1999	300			300											(50)
9.2	IS	CORPORATE NETWORK IMPROV. COMMUNICATIONS INFRASTRUCTURE	1999	1999	50			50											10
10.2	IS	CORPORATE NETWORK EXT. COMMUNICATIONS INFRASTRUCTURE	1999	1999	84			84											16
12.2	C&R	RISK MANAGEMENT – VARIOUS FACILITIES	1999	1999	350			350											
13.1	C&R	CIVIC FACILITIES CAPITAL REPAIR RESERVE – MAJOR MAINTENANCE	1999	1999	20			20											
17.2	C&R	CITY HALL – 1998 RETROFIT – PHASE II	1999	2000	1,079			415	664										(67)
19.0	C&R	COPPS/CENTRAL LIBRARY CONVERT CFC REFRIGERATION EQUIT	1999	1999	235			235											
20.2	C&R	PARKING LOT IMPROVEMENTS	1999	1999	500			500											20
30.2	C&R	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	1999	1999	90			90											0
33.2	C&R	FIELDHOUSE – MECHANICAL, ELECTRICAL & REROOFING	1999	1999	70			70											0
35.0	C&R	SIR WILFRID LAURIER	1999	1999	150			150										21	0
43.0	C&R	KING'S FOREST GOLF COURSE – DRIVING RANGE	1999	1999	300			300											(20)
55.0	C&R	EMERGENCY LIGHTING / ALARM SYSTEM / P.A. SYSTEM	1999	1999	100			100											(15)
56.1	C&R	CITY HALL – MULTI YEAR RETROFIT	1999	1999	50			50											
58.0	C&R	RYERSON RECREATION CENTRE – RE–ROOFING	1999	1999	116			116											0
61.0	C&R	CONVENTION CENTRE – AIR HANDLING UNIT RETROFIT	1999	1999	95			95											0
67.0	C&R	PROPERTY & MAINTENANCE WORKSHOP – REPAIRS & MAINTENANCE	1999	1999	36			36											0
70.0	C&R	REPLACEMENT OF ORNAMENTAL (GLOBE) LIGHTING	1999	1999	100			100											(3)
72.0	C&R	RIVERDALE RECREATION AND SENIOR CENTRE	1999	2000	4,250			4,250											238
122.1	FIRE	VEHICLE / APPARATUS REPLACEMENT	1999	1999	144			144											
123.0	FIRE	FIRE STATION – WOODWARD & MELVIN – RENOVATION	1999	1999	585			585											
124.0	FIRE	FIRE STATION – KENILWORTH AVENUE – DESIGN & CONSTRUCTION	1999	2001	2,208			75	239	1,894									
125.0	FIRE	SECOND APPARATUS DOOR AT TWO FIRE STATIONS	1999	1999	90			90											1
127.1	PWD–F	VEHICLE REPLACEMENT PROGRAM	1999	1999	2,345			2,345											
128.0	PWD–F	DRIVE CLEAN PROGRAM	1999	1999	95			95									RRME		
130.1	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1999	1999	900			900											

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The Corporation of the City of Hamilton

1998–2007 Provisional Capital Budget Program

Schedule "B"

Projects By Year

(Thousands of Dollars)

As authorized by the Committee of the Whole on 1998 April 16, April 23, May 6 & May 14 and Special Fin. & Admin. Comm. on May 11

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		1999 – Continued																	
131.0	ROAD	CENTENNIAL PARKWAY – NEW PEDESTRIAN UNDERPASS	1999	1999	40			40											
133.2	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	1999	1999	61			61											
134.0	ROAD	SUBDIVISION WATERSHED PLAN FOR RED HILL CREEK TRIBUTARIES	1999	1999	300			300											
135.2	PWD–T	TRAFFIC SIGN REPLACEMENT	1999	1999	75			75											(1)
136.1	PWD–T	TRAFFIC SIGNAL MODERNIZATION	1999	1999	64			64											
137.0	PWD–T	INVENTORY CONTROL SOFTWARE	1999	1999	50			50											
139.0	PWD–S	DOWNTOWN HAMILTON IMPROVEMENT PLAN – PHASE III	1999	1999	2,250	100		2,150											44
143.1	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	1999	1999	250			250											
146.1	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1999	1999	6,760			6,760											
152.0	PWD–S	CORKTOWN NEIGHBOURHOOD PLAN IMPLEMENTATION PHASE I	1999	1999	50			50											
153.0	PWD–S	ENHANCED STREETSCAPING	1999	1999	36			36											19
154.0	PWD–S	WATER TRUCK – TRAFFIC ISLAND PROGRAMME	1999	1999	68			68											9
166.1	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	1999	1999	217	17		200											3
169.1	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1999	1999	100			100											
169.1	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1999	1999	500			500											41
170.1	PWD–P	PARKLAND ACQUISITION	1999	1999	500			500											16
171.0	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOP.	1999	1999	53	3		50											
173.0	PWD–P	ESCARPMENT STEPS – FENNELL TO GREENHILL	1999	1999	480			480											
174.1	PWD–P	COMMERCIAL IMPROVEMENT PROGRAMME – PHASE II	1999	1999	105			105											5
176.1	PWD–P	TENNIS COURT – MAJOR REPAIRS	1999	1999	25			25											
177.2	PWD–P	RED HILL VALLEY – RECREATION AND OPEN SPACE	1999	1999	600			600									RRHCD		55
217.1	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1999	1999	300			300									RCP–H		0
218.0	HECFI	HAMILTON PLACE – GREAT HALL SEATING REPLACEMENT	1999	2000	430			250	180								RCP–H		0
219.0	HECFI	HAMILTON PLACE – REPLACEMENT OF CARPET	1999	1999	205			205									RCP–H		0
225.0	HPL	TERRYBERRY BRANCH LIBRARY RETROFIT	1999	1999	56			56											
227.2	PA	ELECTRONIC PARKING METER EXPANSION AND REPLACEMENT	1999	1999	80			80									ROSP		

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The Corporation of the City of Hamilton

1998–2007 Provisional Capital Budget Program

Schedule "B"

Projects By Year

(Thousands of Dollars)

As authorized by the Committee of the Whole on 1998 April 16, April 23, May 6 & May 14 and Special Fin. & Admin. Comm. on May 11

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
229.2	PA	PAVING AND RETROFIT OF CARPARKS	1999	1999	100			100									ROSP		
	Sub–total	*Provisional 1999 Capital Budget (NET CITY COSTS – 27,977)*			28,097	120	0	25,000	1,083	1,894	0	0	0	0	0	0		21	321
		2000																	
10.3	IS	CORPORATE NETWORK EXT. COMMUNICATIONS INFRASTRUCTURE	2000	2000	84				84										48
12.3	C&R	RISK MANAGEMENT – VARIOUS FACILITIES	2000	2000	400				400										
13.2	C&R	CIVIC FACILITIES CAPITAL REPAIR RESERVE – MAJOR MAINTENANCE	2000	2000	150				150										
14.2	C&R	CHEDOKE TWIN PAD ARENA – REMEDIAL & OPERAT'L IMPROVEMENTS	2000	2000	450				450										(5)
18.0	C&R	LIBRARY/MARKET – BOILER RETROFIT	2000	2000	375				375										(35)
20.3	C&R	PARKING LOT IMPROVEMENTS	2000	2000	615				615										20
21.0	C&R	CENTRAL FIRE STATION – MECHANICAL/ELECTRICAL RETROFIT	2000	2000	241				241								CL		(3)
24.0	C&R	INCH PARK ARENA OPERATION IMPROVEMENTS	2000	2000	55				55										(2)
26.0	C&R	PARKDALE ARENA – OPERATIONAL IMPROVEMENTS	2000	2000	135				135										0
28.0	C&R	SACKVILLE HILL SENIOR CENTRE	2000	2000	60				60										0
29.0	C&R	CONVENTION CENTRE – REPLACE VARIABLE SPEED DRIVES	2000	2000	100				100										(5)
30.3	C&R	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	2000	2000	90				90										0
31.0	C&R	LAWFIELD ARENA BUILDING ENVELOPE REMEDIAL REPAIRS	2000	2000	60				60										0
33.3	C&R	FIELDHOUSE – MECHANICAL, ELECTRICAL & REROOFING	2000	2000	607				607										0
38.0	C&R	PEDESTRIAN BRIDGE – KING STREET	2000	2000	40				40										
47.0	C&R	KENILWORTH FIRE STATION – RE–ROOFING	2000	2000	97				97										
48.0	C&R	RAY STREET SOUTH FIRE STATION (NO. 11) – RE–ROOFING	2000	2000	42				42										0
49.0	C&R	MELVIN AVENUE FIRESTATION (NO. 8) – RE–ROOFING	2000	2000	45				45										0
52.0	C&R	HAMILTON TENNIS CLUB	2000	2000	30				30										0
54.0	C&R	TOURISM SIGNAGE	2000	2000	29				29										16
56.2	C&R	CITY HALL – MULTI YEAR RETROFIT	2000	2000	50				50										
64.0	C&R	DUNDURN CASTLE HISTORIC LANDSCAPE RESTORATION – FES. STUDY	2000	2000	75	25			50										0
68.2	C&R	PUBLIC ART PROGRAMME	2000	2000	120				120										15

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Schedule "B"

Projects By Year

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PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
75.1	C&R	COPPS COLISEUM – STEAM TO HOT WATER CONVERSION	2000	2000	135				135										(5)
		2000 – Continued																	
77.0	C&R	FOOTBALL HALL OF FAME – MECHANICAL/ELECTRICAL RETROFIT	2000	2000	251				251										(1)
78.0	C&R	REPLACEMENT OF MARKET REFRIGERATION UNITS	2000	2000	390				390										0
85.0	C&R	125 BARTON STREET – REPLACE EXTERIOR WINDOWS	2000	2000	150				150										(5)
122.2	FIRE	VEHICLE / APPARATUS REPLACEMENT	2000	2000	335				335										
127.2	PWD–F	VEHICLE REPLACEMENT PROGRAM	2000	2000	2,416				2,416										
130.2	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2000	2000	900				900										
133.3	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2000	2000	62				62										
136.2	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2000	2000	66				66										
140.0	PWD–S	DOWNTOWN HAMILTON IMPROVEMENT PLAN – PHASE IV	2000	2000	2,417	217			2,200										101
143.2	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2000	2000	250				250										
146.2	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2000	2000	7,161				7,161										
155.1	PWD–S	ENHANCED STREETSCAPING	2000	2000	36				36										6
166.2	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2000	2000	217	17			200										3
169.2	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2000	2000	100				100										
169.2	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2000	2000	500				500										41
172.2	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOP.	2000	2000	106	6			100										
174.2	PWD–P	COMMERCIAL IMPROVEMENT PROGRAMME – PHASE II	2000	2000	105				105										5
176.2	PWD–P	TENNIS COURT – MAJOR REPAIRS	2000	2000	30				30										
177.3	PWD–P	RED HILL VALLEY – RECREATION AND OPEN SPACE	2000	2000	600				600								RRHCD		55
209.0	PLAN	BROWNFIELDS REDEVLOPMENT TASK FORCE	2000	2000	120	60			60										
217.2	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2000	2000	370				370								RCP–H		0
220.0	HECFI	COPPS COLISEUM–MODIFY & REFURBISH EXTERIOR ELECTRONIC SIGN	2000	2000	300				300								RCP–H		0
227.3	PA	ELECTRONIC PARKING METER EXPANSION AND REPLACEMENT	2000	2000	85				85								ROSP		
229.3	PA	PAVING AND RETROFIT OF CARPARKS	2000	2000	100				100								ROSP		
		Sub–total Provisional 2000 Capital Budget (NET CITY COSTS – 20,827)			21,152	325	0	0	20,827	0	0	0	0	0	0	0		0	249

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(Thousands of Dollars)

As authorized by the Committee of the Whole on 1998 April 16, April 23, May 6 & May 14 and Special Fin. & Admin. Comm. on May 11

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		2001																	
9.3	IS	CORPORATE NETWORK IMPROV. COMMUNICATIONS INFRASTRUCTURE	2001	2001	50					50									
12.4	C&R	RISK MANAGEMENT – VARIOUS FACILITIES	2001	2001	400					400									
13.3	C&R	CIVIC FACILITIES CAPITAL REPAIR RESERVE – MAJOR MAINTENANCE	2001	2001	0														
16.0	C&R	HAMILTON EAST KIWANIS	2001	2002	1,927					357	1,570								53
20.4	C&R	PARKING LOT IMPROVEMENTS	2001	2001	600					600									20
27.0	C&R	SOUTH MOUNTAIN COMBINED FACILITY – PRELIM. DESIGN & STUDY	2001	2001	200	50				150									0
51.2	C&R	OUTDOOR AND LANDSCAPING UPGRADES, CUL & REC FACILITIES	2001	2001	100					100									3
56.3	C&R	CITY HALL – MULTI YEAR RETROFIT	2001	2001	50					50									
88.0	C&R	DUNDURN CASTLE HISTORIC LANDSCAPE RESTORATION	2001	2001	1,600	800				800									10
93.0	C&R	FIRE STATION NO. 3 – RE-ROOFING	2001	2001	60					60									0
94.0	C&R	KENILWORTH COMPOSITE BUILDING – MECHANICAL/ELEC. RETROFIT	2001	2001	193					193									(1)
95.0	C&R	IVOR WYNNE STADIUM – REPLACEMENT OF ASTROTURF	2001	2001	2,000					2,000									0
99.0	C&R	FOOTBALL HALL OF FAME – RE-ROOFING	2001	2001	110					110									0
122.3	FIRE	VEHICLE / APPARATUS REPLACEMENT	2001	2001	486					486									
127.3	PWD-F	VEHICLE REPLACEMENT PROGRAM	2001	2001	2,488					2,488									
130.3	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2001	2001	950					950									
133.4	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2001	2001	63					63									
135.4	PWD-T	TRAFFIC SIGN REPLACEMENT	2001	2001	75					75									(1)
136.3	PWD-T	TRAFFIC SIGNAL MODERNIZATION	2001	2001	68					68									
141.0	PWD-S	DOWNTOWN HAMILTON IMPROVEMENT PLAN – PHASE V	2001	2001	2,200					2,200									25
143.3	PWD-S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2001	2001	250					250									
146.3	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2001	2001	7,736					7,736									
151.1	PWD-S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2001	2001	50					50									
155.2	PWD-S	ENHANCED STREETSCAPING	2001	2001	36					36									6
166.3	PWD-P	PLAYSTRUCTURE REDEVELOPMENT	2001	2001	217	17				200									3
169.3	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2001	2001	500					500									41

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(Thousands of Dollars)

As authorized by the Committee of the Whole on 1998 April 16, April 23, May 6 & May 14 and Special Fin. & Admin. Comm. on May 11

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		2001 – Continued																	
169.3	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2001	2001	100					100									
170.3	PWD–P	PARKLAND ACQUISITION	2001	2001	500					500									16
172.3	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOP.	2001	2001	53	3				50									
174.3	PWD–P	COMMERCIAL IMPROVEMENT PROGRAMME – PHASE II	2001	2001	105					105									5
177.4	PWD–P	RED HILL VALLEY – RECREATION AND OPEN SPACE	2001	2001	600					600							RRHCD		55
178.0	PWD–P	HAMILTON BEACH RECREATIONAL TRAIL DEVELOPMENT	2001	2003	2,138	1,069				319	350	400							
217.3	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2001	2001	230					230							RCP–H		0
224.0	HPL	CENTRAL LIBRARY CARPET REPLACEMENT	2001	2001	635					635									
227.4	PA	ELECTRONIC PARKING METER EXPANSION AND REPLACEMENT	2001	2001	85					85							ROSP		
229.4	PA	PAVING AND RETROFIT OF CARPARKS	2001	2001	100					100							ROSP		
		Sub–total Provisional 2001 Capital Budget (NET CITY COSTS – 25,016)			26,955	1,939	0	0	0	22,696	1,920	400	0	0	0	0		0	235
		2002																	
9.4	IS	CORPORATE NETWORK IMPROV. COMMUNICATIONS INFRASTRUCTURE	2002	2002	50						50								10
12.5	C&R	RISK MANAGEMENT – VARIOUS FACILITIES	2002	2002	552						552								
13.4	C&R	CIVIC FACILITIES CAPITAL REPAIR RESERVE – MAJOR MAINTENANCE	2002	2002	300						300								
15.0	C&R	BENNETTO RECREATION CENTRE RENOVATION & EXPANSION	2002	2003	2,375						525	1,850							57
25.2	C&R	GOLF COURSES REDEVELOPMENT – CHEDOKE	2002	2002	500						500								(20)
36.0	C&R	MOUNTAIN ARENA CONDITIONAL ANALYSIS STUDY	2002	2002	125						125								0
56.4	C&R	CITY HALL – MULTI YEAR RETROFIT	2002	2002	50						50								
73.0	C&R	SOUTH MOUNT LIBRARY/RECREATION CENTRE/POLICE STN PHASE I	2002	2002	4,550	740					3,810								310
80.0	C&R	WESTMOUNT REC. CENTRE – MAJOR MAINTENANCE/UPGRADE	2002	2002	1,730						1,730								47
105.0	C&R	MACNAB STREET TUNNEL – CONCRETE REPAIRS	2002	2002	70						70								0
122.4	FIRE	VEHICLE / APPARATUS REPLACEMENT	2002	2002	1,161						1,161								
127.4	PWD–F	VEHICLE REPLACEMENT PROGRAM	2002	2002	2,562						2,562								
130.4	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2002	2002	950						950								

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As authorized by the Committee of the Whole on 1998 April 16, April 23, May 6 & May 14 and Special Fin. & Admin. Comm. on May 11

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		2002 – Continued																	
133.5	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2002	2002	64						64								
136.4	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2002	2002	70						70								
143.4	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2002	2002	250						250								
146.4	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2002	2002	7,970						7,970								
151.2	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2002	2002	50						50								
163.0	PWD–S	DOWNTOWN HAMILTON IMPROVEMENT PLAN – PHASE IV	2002	2006	1,027						827	50	50	50	50				0
166.4	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2002	2002	167	17					150								3
169.4	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2002	2002	100						100								
169.4	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2002	2002	500						500								41
170.4	PWD–P	PARKLAND ACQUISITION	2002	2002	500						500								16
172.4	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOP.	2002	2002	53	3					50								
176.3	PWD–P	TENNIS COURT – MAJOR REPAIRS	2002	2002	35						35								
177.5	PWD–P	RED HILL VALLEY – RECREATION AND OPEN SPACE	2002	2002	665						665						RRHCD		55
180.0	PWD–P	GRASS MAINTENANCE EQUIPMENT	2002	2002	68						68								18
181.1	PWD–P	WADING POOL CONVERSIONS	2002	2002	100						100								0
211.4	PLAN	NEIGHBOURHOOD PLAN REVIEW PROGRAM – LOWER CITY	2002	2002	65						65								
217.4	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2002	2002	200						200						RCP–H		0
221.0	HECFI	HAMILTON CONVENTION CENTRE–ROOFING SYSTEM REPLACEMENT	2002	2002	390						390						RCP–H		0
227.5	PA	ELECTRONIC PARKING METER EXPANSION AND REPLACEMENT	2002	2002	87						87						ROSP		
229.5	PA	PAVING AND RETROFIT OF CARPARKS	2002	2002	100						100						ROSP		
		Sub–total Provisional 2002 Capital Budget (NET CITY COSTS – 26,676)			27,436	760	0	0	0	0	24,626	1,900	50	50	50	0		0	537
		2003																	
13.5	C&R	CIVIC FACILITIES CAPITAL REPAIR RESERVE – MAJOR MAINTENANCE	2003	2003	300							300							
20.5	C&R	PARKING LOT IMPROVEMENTS	2003	2003	559							559							20
56.5	C&R	CITY HALL – MULTI YEAR RETROFIT	2003	2003	1,805							1,805							

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PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		2003 – Continued																	
60.0	C&R	CORONATION ARENA UPGRADES & POOL RENOVATIONS	2003	2004	1,150							150	1,000						22
63.0	C&R	MOUNTAIN ARENA – CONSTRUCTION	2003	2004	4,800							2,500	2,300						55
79.0	C&R	EASTWOOD ARENA UPGRADES – CAPITAL CONSERVATION	2003	2004	1,150							150	1,000						0
106.0	C&R	JIMMY THOMPSON POOL RENOVATIONS	2003	2003	545							545							30
108.0	C&R	SOUTH MOUNTAIN LIBRARY/REC. CENTRE/POLICE STN. PHASE II	2003	2004	8,185	5,500						2,685							773
122.5	FIRE	VEHICLE / APPARATUS REPLACEMENT	2003	2003	931							931							
127.5	PWD–F	VEHICLE REPLACEMENT PROGRAM	2003	2003	2,640							2,640							
130.5	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2003	2003	950							950							
133.6	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2003	2003	65							65							
136.5	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2003	2003	72							72							
144.1	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2003	2003	250							250							
147.1	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2003	2003	8,213							8,213							
151.3	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2003	2003	50							50							
156.0	PWD–S	BEASLEY NEIGHBOURHOOD PLAN IMPLEMENTATION	2003	2003	93							93							2
166.5	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2003	2003	217	17						200							3
169.5	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2003	2003	100							100							
169.5	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2003	2003	500							500							41
170.5	PWD–P	PARKLAND ACQUISITION	2003	2003	500							500							16
172.5	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOP.	2003	2003	53	3						50							
181.2	PWD–P	WADING POOL CONVERSIONS	2003	2003	200							200							0
211.5	PLAN	NEIGHBOURHOOD PLAN REVIEW PROGRAM – LOWER CITY	2003	2003	65							65							
217.5	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2003	2003	180							180					RCP–H		0
222.0	HECFI	HAMILTON CONVENTION CENTRE – CARPET REPLACEMENT	2003	2003	325							325					RCP–H		0
227.6	PA	ELECTRONIC PARKING METER EXPANSION AND REPLACEMENT	2003	2003	100							100					ROSP		
229.6	PA	PAVING AND RETROFIT OF CARPARKS	2003	2003	500							500					ROSP		
		Sub–total Provisional 2003 Capital Budget (NET CITY COSTS – 28,978)			34,498	5,520	0	0	0	0	0	24,678	4,300	0	0	0	0	0	962

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PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		2004																	
13.6	C&R	CIVIC FACILITIES CAPITAL REPAIR RESERVE – MAJOR MAINTENANCE	2004	2004	300								300						
20.6	C&R	PARKING LOT IMPROVEMENTS	2004	2004	59								59						
30.4	C&R	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	2004	2004	100								100						0
56.6	C&R	CITY HALL – MULTI YEAR RETROFIT	2004	2004	3,300								3,300						
57.0	C&R	DALEWOOD RECREATION CENTRE – RETROFIT	2004	2005	2,100								300	1,800					53
109.0	C&R	TRAFFIC OPERATIONS CENTRE – REROOFING	2004	2004	500								500						(3)
122.6	FIRE	VEHICLE / APPARATUS REPLACEMENT	2004	2004	525								525						
127.6	PWD–F	VEHICLE REPLACEMENT PROGRAM	2004	2004	2,719								2,719						
130.6	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2004	2004	1,000								1,000						
133.7	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2004	2004	66								66						
144.2	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2004	2004	250								250						
147.2	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2004	2004	8,469								8,469						
151.4	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2004	2004	50								50						
166.6	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2004	2004	217	17							200						3
169.6	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2004	2004	500								500						41
169.6	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2004	2004	100								100						
170.6	PWD–P	PARKLAND ACQUISITION	2004	2004	500								500						16
172.6	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOP.	2004	2004	53	3							50						
182.0	PWD–P	TENNIS COURT REDEVELOPMENT – PHASE I	2004	2004	646								646						
211.6	PLAN	NEIGHBOURHOOD PLAN REVIEW PROGRAM – LOWER CITY	2004	2004	65								65						
217.6	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2004	2004	300								300				RCP–H		0
226.1	HPL	CENTRAL LIBRARY RENOVATIONS	2004	2004	380								380						
228.1	PA	PAY AND DISPLAY AND P.O.F. EQUIPMENT REPLACEMENT	2004	2004	120								120				ROSP		
230.1	PA	CARPARK # 37 & # 68 RETROFIT	2004	2004	226								226				ROSP		
		Sub–total Provisional 2004 Capital Budget (NET CITY COSTS – 22,525)			22,545	20	0	0	0	0	0	0	20,725	1,800	0	0		0	110

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PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		2005																	
12.6	C&R	RISK MANAGEMENT – VARIOUS FACILITIES	2005	2005	192									192			DEB	27	
13.7	C&R	CIVIC FACILITIES CAPITAL REPAIR RESERVE – MAJOR MAINTENANCE	2005	2005	580									580					
20.7	C&R	PARKING LOT IMPROVEMENTS	2005	2005	85									85					
56.7	C&R	CITY HALL – MULTI YEAR RETROFIT	2005	2005	1,995									1,995					
74.0	C&R	CUP – BUILDING AUTOMATION SYSTEM UPGRADE	2005	2005	2,270	120								2,150					(10)
75.2	C&R	COPPS COLISEUM – STEAM TO HOT WATER CONVERSION	2005	2005	25									25					(5)
101.0	C&R	SIR WINSTON CHURCHIL – MAJOR MAINTENANCE/FACILITY UPGRADE	2005	2005	1,860									1,860					49
107.0	C&R	SIR ALLAN MACNAB RETROFIT	2005	2005	490									490					
111.0	C&R	SIR WILFRID LAURIER RETROFIT	2005	2006	1,805									205	1,600				9
122.7	FIRE	VEHICLE / APPARATUS REPLACEMENT	2005	2005	719									719					
127.7	PWD–F	VEHICLE REPLACEMENT PROGRAM	2005	2005	2,800									2,800					
130.7	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2005	2005	1,000									1,000					
133.8	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2005	2005	67									67					
136.7	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2005	2005	76									76					
144.3	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2005	2005	250									250					
147.3	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2005	2005	8,733									8,733					
151.5	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2005	2005	50									50					
166.7	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2005	2005	167	17								150					3
169.7	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2005	2005	100									100					
169.7	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2005	2005	500									500					41
170.7	PWD–P	PARKLAND ACQUISITION	2005	2005	500									500					16
172.7	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOP.	2005	2005	53	3								50					
186.0	PWD–P	TURNER PARK DEVELOPMENT PHASE III	2005	2005	1,420									1,420					60
211.7	PLAN	NEIGHBOURHOOD PLAN REVIEW PROGRAM – LOWER CITY	2005	2005	65									65					
217.7	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2005	2005	300									300			RCP–H		0
228.2	PA	PAY AND DISPLAY AND P.O.F. EQUIPMENT REPLACEMENT	2005	2005	395									395			ROSP		

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PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		Sub–total Provisional 2005 Capital Budget (NET CITY COSTS – 26,357)			26,497	140	0	0	0	0	0	0	0	24,757	1,600	0		27	252
		2006																	
12.7	C&R	RISK MANAGEMENT – VARIOUS FACILITIES	2006	2006	100										100				
13.8	C&R	CIVIC FACILITIES CAPITAL REPAIR RESERVE – MAJOR MAINTENANCE	2006	2006	750										750				
25.3	C&R	GOLF COURSES REDEVELOPMENT – CHEDOKE	2006	2006	670										670				(20)
56.8	C&R	CITY HALL – MULTI YEAR RETROFIT	2006	2006	1,070										1,070				
84.0	C&R	ROSEDALE ARENA – RENOVATION & EXPANSION	2006	2006	2,560										2,560				23
90.0	C&R	LAWFIELD ARENA RENOVATIONS – FEASIBILITY STUDY/CONSTRUCTION	2006	2006	3,350										3,350				14
110.0	C&R	RYERSON RENOVATIONS – FACILITY UPGRADE	2006	2007	1,850										250	1,600			
122.8	FIRE	VEHICLE / APPARATUS REPLACEMENT	2006	2006	65										65				
127.8	PWD–F	VEHICLE REPLACEMENT PROGRAM	2006	2006	2,877										2,877				
130.8	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2006	2006	1,000										1,000				
136.8	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2006	2006	78										78				
144.4	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2006	2006	250										250				
147.4	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2006	2006	9,003										9,003				
151.6	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2006	2006	50										50				
157.0	PWD–S	MOTOR VEHICLE REQUIREMENTS – SIGNALS AND HOISTS	2006	2006	72										72				
158.0	PWD–S	FORESTRY RENOVATION – UPPER OTTAWA YARD	2006	2006	90										90				
166.8	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2006	2006	217	17									200				3
169.8	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2006	2006	100										100				
169.8	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2006	2006	500										500				41
170.8	PWD–P	PARKLAND ACQUISITION	2006	2006	500										500				16
172.8	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOP.	2006	2006	53	3									50				
187.0	PWD–P	TENNIS COURT REDEVELOPMENT – PHASE II	2006	2006	247										247				
188.0	PWD–P	LANDSCAPING – BAYFRONT CSO TANK	2006	2006	278										278				5
211.8	PLAN	NEIGHBOURHOOD PLAN REVIEW PROGRAM – LOWER CITY	2006	2006	65										65				

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PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		2006 – Continued																	
217.8	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2006	2006	300										300		RCP–H		0
223.0	HECFI	COPPS COLISEUM – ROOFING SYSTEM REPLACEMENT	2006	2006	600										600		RCP–H		0
228.3	PA	PAY AND DISPLAY AND P.O.F. EQUIPMENT REPLACEMENT	2006	2006	130										130		ROSP		
230.2	PA	CARPARK # 37 & # 68 RETROFIT	2006	2006	250										250		ROSP		
		Sub–total Provisional 2006 Capital Budget (NET CITY COSTS – 27,055)			27,075	20	0	0	0	0	0	0	0	0	25,455	1,600		0	129
		2007																	
4.1	BLDG	MACASSA REGENERATION	2007	2007	494											494			
11.0	IS	CORPORATE NETWORK IMPROV. COMMUNICATIONS INFRASTRUCTURE	2007	2007	100											100			
13.9	C&R	CIVIC FACILITIES CAPITAL REPAIR RESERVE – MAJOR MAINTENANCE	2007	2007	300											300			
25.4	C&R	GOLF COURSES REDEVELOPMENT – CHEDOKE	2007	2007	500											500			(20)
56.9	C&R	CITY HALL – MULTI YEAR RETROFIT	2007	2007	4,050											4,050			
87.0	C&R	PARKDALE – OUTDOORS POOLS REHABILITATION	2007	2007	755											755			29
112.0	C&R	HUNTINGTON PARK	2007	2007	469											469			14
114.0	C&R	NORMAN "PINKY" LEWIS CENTRE RENOVATIONS	2007	2007	540											540			28
119.0	C&R	FIRE STATION NO. 6 (BARTON & WENTWORTH) – RE–ROOFING	2007	2007	65											65			0
120.0	C&R	FIRE STATION NO. 3 (MOHAWK & GARTH) – ELEC. / MEC. RETROFIT	2007	2007	250											250			(3)
122.9	FIRE	VEHICLE / APPARATUS REPLACEMENT	2007	2007	901											901			
127.9	PWD–F	VEHICLE REPLACEMENT PROGRAM	2007	2007	2,971											2,971			
130.9	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2007	2007	1,000											1,000			
136.9	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2007	2007	80											80			
144.5	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2007	2007	250											250			
147.5	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2007	2007	9,274											9,274			
151.7	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2007	2007	50											50			
166.9	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2007	2007	217	17										200			3
169.9	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2007	2007	100											100			

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PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
		2007 – Continued																	
169.9	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2007	2007	500											500			41
170.9	PWD–P	PARKLAND ACQUISITION	2007	2007	500											500			16
172.9	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOP.	2007	2007	53	3										50			
183.2	PWD–P	REDEVELOPMENT OF CITY HALL GROUNDS – PHASE II	2007	2007	2,487											2,487			50
201.0	PWD–P	GAGE PARK FENCING REPLACEMENT	2007	2007	180											180			0
211.9	PLAN	NEIGHBOURHOOD PLAN REVIEW PROGRAM – LOWER CITY	2007	2007	65											65			
217.9	HECFI	REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2007	2007	500											500	RCP–H		0
228.4	PA	PAY AND DISPLAY AND P.O.F. EQUIPMENT REPLACEMENT	2007	2007	150											150	ROSP		
230.3	PA	CARPARK # 37 & # 68 RETROFIT	2007	2007	435											435	ROSP		
		Sub–total Provisional 2007 Capital Budget *(NET CITY COSTS – 27,216)*			27,236	20	0	0	0	0	0	0	0	0	0	27,216		0	168
		Total Provisional 1998–2007 Capital Budget *(NET CITY COSTS – 256,888)*			269,156	12,268	24,261	25,000	21,910	24,590	26,546	26,978	25,075	26,607	27,105	28,816		1,884	2,947

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PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	COST SHARING (7)	NET FINANCING (City's Cost) 1998 (8)	1999 (9)	2000 (10)	2001 (11)	2002 (12)	2003 (13)	2004 (14)	2005 (15)	2006 (16)	2007 (17)	NATURE OF FUNDING (18)	ANNUAL DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
22002	CL	CAPITAL LEVY (1996 – 2 Mills, 1997 – 2 Mills, 1998 – $2 million, 1999 – $3 million																	
		2000 – $4 million, 2001 – $5 million, 2002 – $6 million etc.)	1998	2007		64,000	2,000	3,000	4,000	5,000	6,000	7,000	8,000	9,000	10,000	10,000			
CH203	RCP	RESERVE FOR CAPITAL PROJECTS – GENERAL	1998	2007		1,128	228	100	100	100	100	100	100	100	100	100			
CH212	RDC	RESERVE FOR DEVELOPMENT CHARGES	1998	2007		11,197	1,427	1,050	800	1,050	2,850	1,200	600	1,020	600	600			
CH102	RPP	RESERVE FOR PROPERTY PURCHASE	1998	1998		5,750	2,000	250		500	500	500	500	500	500	500			
	RRHCD	RESERVE FOR RED HILL CREEK DEVELOPMENT	1998	2007		3,065	600	600	600	600	665								
	RGCI	RESERVE FOR GOLF COURSE IMPROVEMENTS	1998	1998		60	60												
CH107	RSTUL	RESERVE FOR CITY'S SHARE – UNSUBDIVIDED LAND	1998	2007		6,300	800	900	600	500	550	550	600	600	600	600			
CH201	RPL	RESERVE FOR PARKS LAND – 5% LAND DEDICATION	1998	2007		4,973	273	300	300	300	700	700	600	600	600	600			
CH202	ROSP	RESERVE FOR OFF – STREET PARKING	1998	2007		3,303	260	180	185	185	187	600	346	395	380	585			
CH101	RRME	RESERVE FOR REPLACEMENT OF MOBILE EQUIPMENT	1998	2007		32,501	3,321	2,584	2,751	2,974	3,723	3,571	3,244	3,519	2,942	3,872			
CH206	RCP–H	RESERVE FOR CAPITAL PROJECTS – HECFI	1998	2007		5,345	415	755	850	230	590	505	300	300	900	500			
Sub–total		*FINANCING FROM CAPITAL LEVY AND RESERVES*				137,622	11,384	9,719	10,186	11,439	15,865	14,726	14,290	16,034	16,622	17,357			
		TOTAL COST TO BE FINANCED BY THE ISSUANCE OF DEBENTURE – Municipal (NET COST – 119,266)	1998	2007	269,156	149,890	12,877	15,281	11,724	13,151	10,681	12,252	10,785	10,573	10,483	11,459			
		NOTE: THE IMPLEMENTATION OF ANY PROJECT (1999 AND AFTER) FINANCED FROM RESERVES & RESERVE FUNDS IS SUBJECT TO THE AVAILABILITY OF RESERVES & RESERVE FUNDS																	
		ASSUMPTIONS: DEBENTURE INTEREST RATE – AMORTIZED OVER 10 YEARS AT 7.00% – ANNUAL PRINCIPAL AND INTEREST PAYMENT PER $1.000 – $142.3775027																	
231.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS–RESIDENTIAL	1998	1998	600		600												
232.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS–RESIDENTIAL	1999	2002	2,580			615	634	656	675								
233.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS – RESIDENTIAL	2003	2007	3,683							694	715	736	758	780			
Sub–total		*Owners' share of Locals (NET OWNERS' COST – 6,863)*			6,863	0	600	615	634	656	675	694	715	736	758	780			
		TOTAL NET CAPITAL BUDGET PROGRAM			276,019	149,890	13,477	15,896	12,358	13,807	11,356	12,946	11,500	11,309	11,241	12,239		0	0

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DEPARTMENT ABBREVIATION:

BLDG	BUILDING DEPARTMENT	CMT	CORPORATE MANAGEMENT TEAM	HECFI	HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.	TR TREASURY
C&R	CULTURE AND RECREATION	HPL	HAMILTON PUBLIC LIBRARY	PWD–S	PUBLIC WORKS – STREETS DIVISION	PWD–PUBLIC WORKS – FLEET SERVICES
HD	HOUSING DIVISION (BUILDG. DEPT.)	PLAN	PLANNING & DEVELOPMENT	PWD–T	PUBLIC WORKS – TRAFFIC DIVISION	PROP PROPERTY DEPARTMENT
		PWD–C	PUBLIC WORKS–COMMUNITY RENEWAL (PARKS)	PWD–P	PUBLIC WORKS – PARKS DIVISION	ROAD REGIONAL ROADS DEPARTMENT

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Schedule "C" (Revised)

FINANCIAL IMPACT ANALYSIS

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(Thousands of Dollars)

Line No.	Description	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
1	DEBT TO BE ISSUED FOR PRIOR APPROVAL		9,000	500	500	2,336	4,000							16,336
2	PROJECTED NEW DEBT TO BE ISSUED		12,877	15,281	11,724	13,151	10,681	12,252	10,785	10,573	10,483	11,459		119,266
3	**Total Projected Debt to be Issued**	0	21,877	15,781	12,224	15,487	14,681	12,252	10,785	10,573	10,483	11,459	0	135,602
4	Provision for 1/2 yr's int. for debts issued prior to June 30													2009
5	DEBT CHARGES, if new debt approved in – 1998			2,122	3,955	3,955	3,955	3,955	1,833	1,833	1,833	1,833	1,833	1,833
6	DEBT CHARGES, if new debt approved in – 1999				71	2,247	2,247	2,247	2,247	2,247	2,247	2,247	2,247	2,247
7	DEBT CHARGES, if new debt approved in – 2000					71	1,740	1,740	1,740	1,740	1,740	1,740	1,740	1,740
8	DEBT CHARGES, if new debt approved in – 2001						333	2,205	2,205	2,205	2,205	2,205	2,205	2,205
9	DEBT CHARGES, if new debt approved in – 2002							570	2,090	2,090	2,090	2,090	2,090	2,090
10	DEBT CHARGES, if new debt approved in – 2003								0	1,744	1,744	1,744	1,744	1,744
11	DEBT CHARGES, if new debt approved in – 2004									0	1,536	1,536	1,536	1,536
12	DEBT CHARGES, if new debt approved in – 2005										0	1,505	1,505	1,505
13	DEBT CHARGES, if new debt approved in – 2006											0	1,493	1,493
14	DEBT CHARGES, if new debt approved in – 2007												0	1,638
15	Proposed Debt Charges		0	2,122	4,026	6,273	8,275	10,717	10,115	11,859	13,395	14,900	16,393	18,025
16	PRESENT DEBT CHARGES	14,719	13,005	10,681	9,368	8,680	7,141	4,696	4,277	2,628	2,628	0	0	0
17	TRANSFER TO RESERVE – Internal Financing		2,106	2,106	2,106	2,106	2,106	0	0	0	0	0	0	0
18	Total Financing Charges paid out of Mill Rate	14,719	15,111	14,909	15,500	17,059	17,522	15,413	14,392	14,487	16,023	14,900	16,393	18,025
19	Transfer to/(from) Reserve for Debt Charges		(392)	(190)	(408)	(932)	(1,000)	1,000	1,900	1,600	64	1,187	(306)	(2,523)
20	**TOTAL FINANCING COSTS FOR BUDGET**	14,719	14,719	14,719	15,092	16,127	16,522	16,413	16,292	16,087	16,087	16,087	16,087	15,502
21	***NOTE – DELAYED FINANCING: DEBENTURE FINANCING WILL BE DELAYED ONE YEAR FOLLOWING COUNCIL APPROVAL***													
22	FINANCING COSTS – Increase over Prior Year – Amount		0	0	373	1,035	395	(109)	(121)	(205)	0	0	0	(585)
23	**Financing Costs – Increase over Prior Year – As a %**	0.00%	0.00%	0.00%	2.53%	6.86%	2.45%	−0.66%	−0.74%	−1.26%	0.00%	0.00%	0.00%	−3.64%
24	Financing Costs – Average compound rate of increase 1998–2007											0.89%		
25														
26	**FINANCING COSTS AS A % OF ADJUSTED LEVY**	11.43%	12.15%	12.03%	12.22%	12.93%	13.11%	12.90%	12.67%	12.39%	12.27%	12.15%	12.03%	11.47%
27	Financing Costs to Levy – Average Increase 1998–2007											12.48%		
28														
29	**Financing Costs as a % of Gross Budget**	9.07%	9.07%	8.98%	9.12%	9.64%	9.78%	9.62%	9.46%	9.25%	9.15%	9.06%	8.97%	8.56%
30	**ASSUMPTIONS:**													
31	– Capital Levy Provision in the Current Budget	2,007	2,000	3,000	4,000	5,000	6,000	7,000	8,000	9,000	10,000	10,000	10,000	10,000
32	– Adjusted Levy (Inc. 1998–0%, Other–1% Annually)	128,716	121,095	122,306	123,529	124,764	126,012	127,272	128,545	129,830	131,128	132,439	133,763	135,101
33	– Current Budget (Inc. 1998–0%, Other–1% Annually)	162,289	162,289	163,912	165,551	167,207	168,879	170,568	172,274	173,997	175,737	177,494	179,269	181,062
34	– Interest Rate – Amortized over 5 Years @ 5.75% per annum – Annual Debt Charges Payment per $ 1,000 is								$ 235.784	(For $9 million issue of 1998 only noted above)				
35	– Interest Rate – Amortized over 10 Years @ 7.00% per annum – Annual Debt Charges Payment per $ 1,000 is								$ 142.378					
36	– The previous Capital Levy Policy of SIX MILLS has now been provided as $2 million 1998, $3 million for 1999 etc. (see line 31)													

1998 May 14 0887

Minutes of Committee of the Whole\City Council
Thursday, 1998 May 14
3:10 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan.

Absent: Alderman T. Anderson - Personal business

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Corsini that the Report of the Committee of the Whole on the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Charters, Kelly, O'Sullivan. -12.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - TWELFTH REPORT
Ontario Workers' Art and Heritage Centre - Grant
Lakeland Pool - Funding
Collaborative Agreement
1998 Service\Program Expansion Packages
Bill E-007

Section 3 (a) Re: Collaborative Agreement

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Wilson, Collins, Charters, Jackson, O'Sullivan. -10

NAYS: Aldermen Kiss, Copps, Eisenberger. -3 **CARRIED**.

* *

It was moved by Alderman Kiss and seconded by Alderman Corsini that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Charters, Kelly, O'Sullivan. -12.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 3:20 o'clock p.m.

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Taken as read and approved.

MAYOR R. MORROW

J. J. Schatz
1998 May 14
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **TWELFTH** Report for 1998 and respectfully recommends:

1. That the request from the Ontario Workers' Art and Heritage Centre for a 1998 grant in the amount of $225,000 be approved as an expansion package within the 1998 Current Budget.

2. That funding in the amount of $30,000 be provided for 1998 for the operation of the Lakeland Pool subject to the pool opening in 1998 and that this amount be financed from the Reserve for Red Hill Creek Development.

3. (a) That the Collaborative Agreement for the Municipalities of Hamilton-Wentworth approved, as amended, by Regional Council at its special meeting held on Saturday, May 9, 1998, be approved.

Recorded Vote:

YEAS:	Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Wilson, Collins, Charters, Jackson, O'Sullivan.	10
NAYS:	Aldermen Kiss, Copps, Eisenberger.	3

CARRIED

(b) That Committee of the Whole meet with representatives of the Employee Workers' Groups to discuss the Collaborative Agreement for the Municipalities of Hamilton-Wentworth approved, as amended, by Regional Council at its special meeting held on Saturday, May 9, 1998.

4. (a) That the revisions to the User Fee Schedule for the Culture and Recreation Department Services attached hereto as Appendix "A", "B" and "C" be approved.

(b) That the increases to User Fees including admission fees and programmes for the Museums of the Culture and Recreation Department, attached hereto and marked as Appendix "D", be approved.

5. That 1998 Service/Program Expansion Packages 11 to 21 respecting the provision of School Crossing Guards at the following locations be approved:

Albright & Mt. Albion
Cannon & Gage
Mary & Picton
Hester & Upper Wellington
Fernwood & Ninth
Blake & Maplewood
Grosvenor & Main
Glen Vista & Greenhill
Cannon & Lottridge
Summer Playgrounds

6. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-007 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 May 14

SCHEDULE "A"
CULTURE & RECREATION DEPARTMENT
SPORT FIELDS USER FEES

NOTE: Rates are per hour unless otherwise indicated

		1997	1998
MINOR FACILITIES			
YOUTH:			
Weekdays		$2.25 per day	$ 2.28 per day
Weekend (less than six hours)		$2.25 per day	$ 2.28 per day
Weekend (more than six hours)		$4.50 per day	$ 4.57 per day
Maximum per field per season		$140.00 maximum	$145.00 maximum
MINOR FACILITIES			
ADULT:			
Weekdays			
(Prime Time from 6:00 pm.)		$5.50	$5.58
Weekdays			
(Non Prime Time prior to 6:00 pm.		$3.65	$3.71
Weekends (book under 10 weeks)		$5.50	$5.50
Weekends (book 10 weeks or more)		$3.65	$3.71
MAJOR FACILITIES			
YOUTH:			
Ball Diamonds:			
*Bernie Arbour Stadium			
Game/Practice	- Resident	$15.00	$15.23
	- Non-Resident	$22.50	$22.84
Game (Tickets, Spectators,			
Tournaments)	- Resident	$15.75	$15.99
	- Non-Resident	$23.63	$23.98
*Mohawk Sports Park,			
Victoria Park, Globe Park			
Game/Practice	- Resident	$13.00	$13.20
	- Non-Resident	$19.50	$19.79
Game (Tickets, Spectators,			
Tournament)	- Resident	$15.00	$15.23
	- Non-Resident	$22.50	$22.84
*Ivor Wynne Stadium:			
Game/Practice	- Resident	$28.04	$28.46
	- Non-Resident	$42.06	$42.69
Game (Tickets, Spectators,			
Tournament)	- Resident	$44.53	$45.20
	- Non-Resident	$66.80 per hour	$67.80

/2

		1997	1998
Soccer/Football Fields:			
*Mohawk Sports Park, Sackville Hill Park, Brian Timmis Stadium, H.A.A.A.	- Resident	$13.50	$13.70
	- Non-Resident	$20.25	$20.55
Game (Tickets, Spectators, Tournament)	- Resident	$16.00	$16.24
	- Non-Resident	$24.00	$24.36
Track and Field	- Resident	$ 9.50	$ 9.64
	- Non-Resident	$14.25	$14.46
MAJOR FACILITIES BOARDS OF EDUCATION:			
Ball Diamonds:			
*Bernie Arbour Stadium			
Game/Practice	- Resident	$26.50	$26.90
	- Non-Resident	$39.75	$40.35
Game (Tickets, Spectators, Tournaments)	- Resident	$47.50	$48.21
	- Non-Resident	$71.25	$72.32
*Mohawk Sports Park, Victoria Park, Globe Park			
Game/Practice	- Resident	$13.00	$13.20
	- Non-Resident	$19.50	$19.79
Game (Tickets, Spectators, Tournament)	- Resident	$31.00	$31.47
	- Non-Resident	$46.50	$47.20
*Ivor Wynne Stadium:			
Game	- Resident	$ 63.08	$64.03
	- Non-Resident	$253.94	$257.75
Soccer/Football Fields:			
*Mohawk Sports Park, Sackville Hill Park, Brian Timmis Stadium, H.A.A.A.	- Resident	$13.50	$13.70
	- Non-Resident	$20.25	$20.55
Game (Tickets, Spectators, Tournament)	- Resident	$33.00	$33.50
	- Non-Resident	$49.50	$50.24
Track and Field	- Resident	$ 9.50	$ 9.64
	- Non-Resident	$14.25	$14.46

		1997	1998
MAJOR FACILITIES ADULT:			
Ball Diamonds:			
*Bernie Arbour Stadium			
Game/Practice	- Resident	$25.00	$25.38
	- Non-Resident	$37.50	$38.06
Game (Tickets, Spectators, Tournaments)	- Resident	$31.50	$31.97
	- Non-Resident	$47.25	$47.96
*Mohawk Sports Park, Victoria Park, Globe Park			
Game/Practice	- Resident	$22.00	$23.33
	- Non-Resident	$33.00	$33.50
Game (Tickets, Spectators, Tournament)	- Resident	$25.00	$25.38
	- Non-Resident	$37.50	$38.06
*Ivor Wynne Stadium:			
Game/Practice	- Resident	$56.07	$56.91
	- Non-Resident	$84.11	$85.37
Game (Tickets, Spectators, Tournament)	- Resident	$ 70.09	$71.14
	- Non-Resident	$105.14	$106.72
Soccer/Football Fields:			
*Mohawk Sports Park, Sackville Hill Park, Brian Timmis Stadium, H.A.A.A.	- Resident	$22.50	$22.84
	- Non-Resident	$33.75	$34.25
Game (Tickets, Spectators, Tournament)	- Resident	$27.00	$27.41
	- Non-Resident	$40.50	$41.11
Track and Field	- Resident	$19.00	$19.29
	- Non-Resident	$14.25	$14.46
MAJOR FACILITIES SEMI PRO:			
Ball Diamonds:			
*Bernie Arbour Stadium			
Game/Practice	- Resident	$53.00	$53.80
	- Non-Resident	$79.50	$80.69
Game (Tickets, Spectators, Tournaments)	- Resident	$95.00	$96.43
	- Non-Resident	$142.50	$144.64

		1997	1998
*Mohawk Sports Park, Victoria Park, Globe Park Game/Practice	- Resident	$26.00	$26.39
	- Non-Resident	$39.00	$39.59
Game (Tickets, Spectators, Tournament)	- Resident	$62.00	$62.93
	- Non-Resident	$93.00	$94.40
*Ivor Wynne Stadium: Game/Practice	- Resident	$84.11	$85.37
	- Non-Resident	$126.17	$128.06
Game (Tickets, Spectators, Tournament)	- Resident	$235.33	$238.86
	- Non-Resident	$353.00	$358.30
Soccer/Football Fields: *Mohawk Sports Park, Sackville Hill Park, Brian Timmis Stadium, H.A.A.A.	- Resident	$27.00	$27.41
	- Non-Resident	$40.50	$41.11
Game (Tickets, Spectators, Tournament)	- Resident	$66.00	$67.00
	- Non-Resident	$99.00	$100.49

SCHEDULE "B"
CULTURE AND RECREATION DEPARTMENT
ARENAS USER FEES

NOTE: RATES EFFECTIVE 1998, OCTOBER 1

		Rates Per Hour Current 1997	Proposed 1998
A)	Arena Ice Rental Fees		
	Recreational House League Hockey	$ 55.00	$ 56.00
	Hub Hockey	$ 63.00	$ 64.00
	Rep Hockey	$ 70.00	$ 71.00
	Ringette	$ 55.00 $63.00	$ 56.00 $64.00
	Sledge Hockey	$ 55.00	$ 56.00
	Special needs	$ 45.00	$ 46.00
	Can Skate/Figure Skating Clubs	$ 80.00	$ 81.00
	Power Skating	$135.00	$137.00
	Private Rentals: Prime Time	$135.00	$137.00
	Non Prime	$ 90.00	$ 91.00
	Tournament: Youth	$ 80.00	$ 81.00
	Adult	$135.00	$137.00
	Department Affiliated Organizations	$ 85.00	$ 86.00
	Year Round Figure Skating Cards	$ 70.00	$ 91.00

CHEDOKE TWIN PAD RATES	**Rates Per Hour**	
Recreational House League Hockey	$ 55.00	$ 56.00
Hub Hockey	$ 63.00	$ 64.00
Rep Hockey	$ 70.00	$ 71.00
Ringette	$ 55.00 $63.00	$ 56.00 $64.00
Sledge Hockey	$ 55.00	$ 56.00
Can Skate/Figure Skating Clubs	$ 80.00	$ 81.00
Power Skating	$160.00	$162.00
Private Rentals: Prime Time	$160.00	$162.00
Non Prime	$130.00	$132.00
Tournament: Youth	$106.00	$ 81.00
Adult	$160.00	$160.00
Department Affiliated Organizations	$ 85.00	$ 86.00
Year Round Figure Skating Cards	$ 70.00	$ 91.00

CHEDOKE TWIN PAD WINTER RATES	**Rates Per Hour** Current	Proposed
All rates as above unless listed herein.		
Private Rentals:		
Non-Prime (6:00 am-5:00 pm weekdays)	$130.00	$132.00
Prime-Time (5:00 pm-2:00 am weekdays)	$160.00	$162.00
Prime Time (6:00 am-2:00 am weekends)		
Tournaments: Adult	$160.00	$162.00
Youth	696 $ 80.00	$ 81.00

CHEDOKE TWIN PAD SUMMER RATES		Rates Per Hour	
Adult:	Non-Prime (6:00 am-5:00 pm)	$130.00	$132.00
	Prime Time (5:00 pm- 2:00 am)	$160.00	$162.00
	Weekends (6:00 am - 2:00 am)	$160.00	$162.00
Youth:	Anytime	$106.00	$108.00

SUMMER FLOOR SURFACE RATES NON-ICE	Rates Per Hour	
NOTE: SUMMER FLOOR RATES EFFECTIVE AS OF 1999, MAY 1.		
Adult	$ 50.00	$ 51.00
Youth	$ 35.00	$ 36.00
Select (Lacrosse)	$ 45.00	$ 46.00
Tournaments	$ 60.00	$ 61.00

NOTE: ALL RATES HAVE BEEN CALCULATED BASED UPON AN INFLATION RATE OF 1.5% AND ROUNDED TO THE NEAREST DOLLAR.

ADMISSION AND MEMBERSHIP FEES
Fees to become effective 1998, October 1.

Daily Admissions	1997	Proposed 1998/99
Family	$5.00	$6.00
Single Parent Family	$4.40	delete
Adult	$3.00	$4.00
Youth	$2.00	$3.00
Senior	$2.00	$3.00
Special Needs	$2.00	$3.00
Adult Shinny	$3.00	$5.00
Senior Shinny	$3.00	$3.00
Youth Shinny	$2.00	$3.00
Parent Preschool	$2.00	$3.00

MEMBERSHIPS

Family	$45.00	$50.00
Single Parent Family	$35.00	delete
Adult	$30.00	$35.00
Youth	$15.00	$20.00
Senior	$15.00	$20.00
Special Needs	$15.00	$20.00
Replacements	$ 3.00	$ 3.00

NOTE: Memberships have increased greater than the 1.5% inflation rate in recognition of the fact that increases have not occurred over the last two years.

SCHEDULE "C"
CULTURE AND RECREATION DEPARTMENT
COMMUNITY CENTRES/OUTDOOR POOLS USER FEES

A) COMMUNITY CENTRE MEMBERSHIP & SINGLE ADMISSION FEES - Effective June 1, 199

☼ G.S.T. Included in Fees Below ☼

	Year-round Memberships	Summer Memberships
* Non resident fees in (brackets)		
Family:	$ 85.00 to $ 90.00 ($128.00 to $135.00)	$45.00 to $50.00 ($67.00 to $75.00)
Delete Single Parent Family:	$65.00 to $ 70.00 ($97.00 to $105.00)	$35.00 to $40.00 ($52.00 to $60.00)
Adult:	$55.00 to $ 57.00 ($82.00 to $ 86.00)	$30.00 to $31.00 ($45.00 to $47.00)
Youth:	$25.00 to $ 26.00 ($37.00 to $ 39.00)	$15.00 to $20.00 ($22.00 to $30.00)
Seniors:	$20.00 to $ 25.00 ($30.00 to $ 37.00)	$10.00 to $15.00 ($15.00 to $25.00)
Sp. Needs:	$20.00 to $ 21.00 ($30.00 to $ 32.00)	$10.00 to $15.00 ($15.00 to $25.00)
Replacement:	$ 3.00 No Change ($4.00 No Change)	$ 2.00 No Change ($ 3.00 No Change)

Single Admissions:	**Centres**	**Outdoor Pools**
Family:	$5.00 to $6.00	$3.00 to $5.00
Delete S.P.Family:	$4.40 to $5.00	$2.00 to $4.00
Adult:	$3.00 No Change	$1.50 to $2.00
Youth:	$2.00 No Change	$1.00 to $1.50
Seniors & Special Needs:	$2.00 No Change	$1.00 to $1.50

B) CAMP KIDACA REGISTRATION FEE - Effective May 25, 1998

Resident:	$60.00 to $65.00	Non-Resident: $90.00 to $97.00

APPENDIX "D"

SUMMARY OF PROPOSED MUSEUM USER FEE INCREASES FOR 1998

Note: G.S.T. is included in fees unless otherwise indicated by *.
Proposed new fees are indicated in bold.

a) **GENERAL PUBLIC/CASUAL VISITOR ADMISSION**
(Core function of museum operation which offers universal access and provides community benefit - offered during public hours and constitutes 53% of overall visitation for the five museums.)

i) That the current general public/casual visitor admission structure be revised as outlined in the following chart effective June 1, 1998.

As Dundurn Castle and Military Museum are in close proximity to one another, combined admission fees are offered for customer service purposes. Dundurn pays the G.S.T.

DUNDURN
(Combined Military Museum Ticket)

Service Category	Current Fee	Proposed Fee
Adult	5.40	5.40
Senior	5.00	5.00
Student	4.60	4.60
Child	2.25	2.25
Family	14.30	14.30

MILITARY MUSEUM
(Combined Dundurn Castle Ticket - amount credited to Military Museum)

Adult	.60	.60
Senior	.50	.50
Student	.40	.40
Child	.25	.25
Family	1.70	1.70

MILITARY MUSEUM
(Tickets sold at door - not combined with Dundurn Castle)

Adult	2.00	2.00
Senior	1.75	1.75
Student	1.75	1.75
Child	1.50	1.50
Family	-	**6.00**

STEAM MUSEUM

Service Category	Current Fee	Proposed Fee
Adult	3.50	**3.75**
Senior	3.00	**3.25**
Student	2.50	**2.75**
Child	2.00	**2.25**
Family	10.00	**11.00**
Membership	10.00	10.00

WHITEHERN

Adult	3.50	3.50
Senior	3.00	3.00
Student	2.50	2.50
Child	2.00	2.00
Family	10.00	10.00

CHILDREN'S MUSEUM

Caregiver accompanying child	Complimentary	Complimentary
Additional caregivers	1.00	1.00
Child	2.50	**2.75**
Membership (Friends)	20.00	20.00

(Museum receives $10.00 for each membership sold).

MUSEUM PASS

Adult/Senior	10.00	**11.00**
Student/Child	-	**8.00**

b) **EDUCATIONAL PROGRAMMES**

(These programmes meet museum mandates and target our future generation of museum supporters/this category represents 20% of visitation for the 5 museums.)

i) That the current educational programme admission structure be revised as outlined in the following chart effective September 1, 1998.

DUNDURN

Programme	Current Fee	Proposed Fee
Child programme (1.5 - 2 hours)	3.00*	3.00*
Child programme (2 hours and over)	5.00*	5.00*
The Mystery of Burlington Heights	4.00*	4.00*
Student Programme (2 hours and over)	5.00	5.00
Badge Programme	5.00*	5.00*

Service Category	Current Fee	Proposed Fee
MILITARY MUSEUM		
Child programme (1.5 hours)	2.00*	**2.25***
Child programme (1.5-3 hours)	4.00*	**4.50***
Student programme (1.5 hours)	2.15	**2.40**
Student programme (1.5-3 hours)	4.30	**4.80**
Burlington Heights	4.00*	4.00*
STEAM MUSEUM		
Child programme	2.00*	**2.25***
Child programme full day	4.00*	**4.50***
Student programme	2.00	**2.25**
Student programme full day	4.00	**4.50**
WHITEHERN		
Child programme	2.00*	2.00*
Student programme	2.00	2.00
Bookbinding	5.00	5.00
Badge Programme	4.00*	4.00*
CHILDREN'S MUSEUM		
Child programme	2.25*	**2.50***

c) **GROUP TOURS - COMMUNITY, TRAVEL TRADE**

(This category provides economic spin offs through tourism and additional revenues using museums as innovators of group travel/comprises 10% of the visitation at the 5 museums. Discount rates are available for pre-booked general admission).

i) **That the current group tour admission structure be revised as outlined in the following chart effective June 1, 1998.**

Service Category	Current Fee	Proposed Fee
DUNDURN CASTLE		
Adult	5.40	5.40
Senior	4.50	4.50
Student	4.00	4.00
Child	2.25	2.25

MILITARY MUSEUM		
Adult	1.80	1.80
Senior	1.55	1.55
Student	1.55	1.55
Child	1.35	1.35

STEAM MUSEUM Programme	Current Fee	Proposed Fee
Adult/Senior	3.00	**3.25**
Student/Child	2.00	**2.25**

WHITEHERN		
Adult/Senior	3.00	3.00
Student/Child	2.00	2.00

CHILDREN'S MUSEUM
not applicable

d) **SPECIAL PROGRAMMES**
(Special events and programmes enhance the museum experience and help to build audiences. Participants are both local and out of town. These programmes make up approximately 15% of the visitation at the museum).

i) **That the current special programmes admission structure be revised as outlined in the following chart effective September 1, 1998.**

Service Category	Current Fee	Proposed Fee
DUNDURN CASTLE		
Christmas Evening Tour	12.00	12.00
Workshop/lecture/special tour		various
MILITARY MUSEUM		
Workshop Lecture		various
STEAM MUSEUM		
Steam & Gas	4.00	**5.00**

WHITEHERN		
Collectors Tour	7.0	7.00
Lectures/Workshops		7.50
Christmas Evening Tour	7.00	**8.00**
CHILDREN'S		
Workshop		various*
Kaleidoscope	------	**1.00**

Various-indicates programmes that build their user fees on admissions plus material costs.

e) **OUTREACH**

All Museums - **n/c to 50.00**

Rate varies depending on content and context of programme, G.S.T. may or may not apply.

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Committee of the Whole\City Council
Thursday, 1998 May 21
10:15 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL
MAY 29 1998
GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Alderman B. Charters - City business

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Eisenberger that the Report of the Committee of the Whole on the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Anderson, D'Amico, O'Sullivan. -14.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - THIRTEENTH REPORT
Region of Hamilton-Wentworth - financial assistance
Ontario Court Action 11893\96
Bill E-008

Section 2 Re: Ontario Court Action - Settlement

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, O'Sullivan. -11.

NAYS: Aldermen Kiss, Copps, D'Amico. -3. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Eisenberger that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Anderson, D'Amico, O'Sullivan. -14.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 10:30 o'clock a.m.

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Taken as read and approved.

MAYOR R. MORROW

J. J. Schatz
1998 May 21
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **THIRTEENTH** Report for 1998 and respectfully recommends:

1. That the City of Hamilton request the Region of Hamilton-Wentworth to pass on any decreased financial requirements on their organization as a result of Provincial payment deferrals or other financial assistance in the form of reduced and/or delayed levy requirements upon the taxpayers of the City of Hamilton and other area municipalities in the Region until such time as the final tax installments can be billed and collected by the area municipalities.

2. That the City resolve Ontario Court (General Division) Action #11893/96 in accordance with the terms agreed upon through Mediation 1998 May 19 and 20 before Mr. Justice White.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Jackson, Anderson, O'Sullivan. -11.

NAYS: Aldermen Kiss, Copps, D'Amico. -3. **CARRIED.**

3. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-008 By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

S. G. Hollowell, Secretary
1998 May 21

Minutes of Committee of the Whole\City Council
Thursday, 1998 May 21
3:15 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Alderman B. Charters - City business

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Wilson, Collins, Kelly, D'Amico. -12.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - THIRTEENTH REPORT
Costs related to termination of employees - funding
Bill E-009

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Wilson, Collins, Kelly, D'Amico, O'Sullivan. -10.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 3:30 o'clock p.m.

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Taken as read and approved.

MAYOR R. MORROW

J. J. Schatz
1998 May 21
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FOURTEENTH** Report for 1998 and respectfully recommends:

1. That costs related to terminations of employees be funded within the respective department firstly from any available departmental surplus, secondly from any available corporate surplus and finally from any transitional reserve funding provided within the 1998 Current Budget.

2. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

   E-009 By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

S. G. Hollowell, Secretary
1998 May 21

Minutes of Hamilton City Council
Tuesday, 1998 May 26
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

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The National Anthem was played.

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Reverend R. B. Saunders, Burkholder United Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Recognition to Teresa Hellings, Amanda Leigh Proulx, winners of the Keep Hamilton Clean Committee - Poster Contest.

* * * * * * * * *

Mayor R. M. Morrow presented Certificates of Recognition to the following former Members of the Mayor's Committee/Advisory Council Against Racism and Discrimination.

Ken Balasubramaniam
Sam Cino
Andrew Finlay
Harpreet Singh Gill
Frederick Loft
Ramzan Manek
Lynda Nielsen
Leslie Pasis
Helen Probert
Robert Westbrook

* * * * * * * *

Mayor R. M. Morrow presented 1998 Civic Awards to the following for winning the 1998 O.B.A. Basketball Champions.

Team Members

Monika Schmuck	Stephanie Aitken (co-captain)
Jennifer Curtis	Lindsay Gillott
Carla Hudson	Blaize Spironello (co-captain)
Julie Lutz	Clarissa Garrish
Vivian Bakos	Stacey Spree

Coaches
Tom Spironello and John Aitken

* * * * * * * *

Mayor R. M. Morrow presented 1998 Civic Awards to the following Cheerleaders from Westmount Secondary School who won the Ontario Cheerleading Championships.

Team Members

Ashley Accadia	D. J. Bazley	Lisa Birch
Ashley Black	Rachelle Borycki	Andrea Cochrane
Michele Duckett	Stacy Eaton	Kara Hillis
Carrie Leduc	Stephanie Marson	Adrienne McMurray
Dawn Oakes	Kristy Robertson	Crystal Ruff
Maya Safadi	Stephanie Scott	Jennifer St. John
Rachel Toombs	Paula Wilson	

Coaches
Tracey Goodwin and Frank Vurro

ADOPTION OF MINUTES

The minutes of the meetings held: 1998 May 12 (regular meeting) and 1998 May 14 (2 special meetings) were adopted as circulated.

CORRESPONDENCE

1. Application dated 1998 May 12 from J. Arruda, 17 Barton Street East, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District for 349 and 353 Acadia Drive, Hamilton, Ontario.

   Received.

2. Application dated 1998 May 19 from M. Sharma, 6981 Millcreek Dr., Mississauga for a modification to the "C" (Urban Protected Residential, etc.) District for lands located east of Greenhill Avenue and west of Webster Road and north of the existing railway line in the Nash Orchard Heights South Subdivision.

   Received.

3. Letter dated 1998 May 26 from V. Abraham, Director of Local Planning Re: Summer meeting schedule.

   Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, and the Nominating Committee, be now considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - TENTH REPORT

Section 1 Re: Policy - Rental Housing Stock

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Eisenberger. -1. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - ELEVENTH REPORT

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 9 of the Eleventh Report of the Planning and Development Committee be amended by adding sub-section (d) as follows:

(d) C-77: A By-law to Adopt Official Plan Amendment No. 149 Respecting Lands Located at 10 Dartnall Road within the Hannon North Neighbourhood.

And, by subsequentley changing sub-section (d) to (e) and renumbering Bill C-77 to C-78 as follows:

(e) C-78: A By-law to amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 10 Dartnall Road. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FOURTEENTH REPORT

FINANCE & ADMINISTRATION COMMITTEE - FIFTEENTH REPORT

CITY OF HAMILTON LICENSING COMMITTEE - FOURTH REPORT

NOMINATING COMMITTEE - FIFTH REPORT

RESOLUTIONS

Rule No. 9 Re: By-law to Amend Cemeteries By-law No. 8861: Revised Tariff of Charges.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a By-law to amend Cemeteries By-law No. 8861: Revised Tariff of Charges. **CARRIED.**

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Re: Resolution respecting A By-law to Amend Cemeteries By-law No. 8861 Respecting Revised Tariff of Charges.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bill be adopted, signed, sealed and enrolled as a By-law:

A-40: A By-law to Amend Cemeteries By-law No. 8861 Respecting Revised Tariff of Charges. **CARRIED.**

Re: Rule No. 9: Visit of His All Holiness Patriarch Bartholomew I

It was moved by Alderman Caplan and seconded by Alderman Kiss that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the visit of His All Holiness Patriarch Bartholomew I to the City of Hamilton on 1998 May 29. **CARRIED.**

* * * * * * * * *

It was moved by Alderman Caplan and seconded by Alderman Kiss

(i) That the Public Works and Traffic Department be authorized to establish a floral garden in an area of the south-west corner of City Hall grounds with the design including the plaque to commemorate the visit of His All Holiness Patriarch Bartholomew I, to the City of Hamilton on 1998 May 29, and;

(ii) That through the Mayor's Office, local church officials be consulted for input on floral material, wording of the plaque and potential financial participation toward capital construction and floral maintenance of the floral garden.

CARRIED.

ACTING MAYOR FOR THE MONTH OF JUNE, 1998

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman D. Wilson be appointed Acting Mayor for the month of June, 1998. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:20 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
City Clerk
1998 May 26
JJS/dg

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1998 and respectfully recommends:

1. That the proposed Official Plan Amendment to establish policies and to introduce a new Schedule for the protection of the rental housing stock be adopted as policy, on the following basis:

   (a) That a new Schedule "K" - Local Market Housing Zones be added to the Official Plan; and,

   (b) That the following new policies be added to Subsection C.7 - Residential Environment and Housing Policy as follows:

   "C.7.11 To protect the adequate provision of a full range of housing, conversion to condominium of rental apartment and/or townhouse units comprised of six or more units will be permitted provided all of the following criteria are met:

   i) the rental vacancy rate by dwelling/structure type for the City and the respective local housing market zone has been at or above 2.0% for the preceding twenty-four (24) months;

   ii) the proposed conversion will not reduce the rental vacancy rate by dwelling/structure type to below 2.0% for the City and the respective local housing market zone;

   iii) the existing market rent levels for the units proposed to be converted are not significantly below the average market rent levels for the City and the respective local housing market zone for rental units of a similar dwelling/structure type.

   C.7.12 Demolition of rental apartment and/or townhouse units comprised of six or more units will be permitted provided one of the following criteria is met:

i) the building is determined to be structurally unsound through the submission of a structural audit, prepared by a qualified professional, and such audit is deemed acceptable by the City; or,

ii) the criteria as set out in Policy C.7.11.

C.7.13

i) For the purposes of policies C.7.11 and C.7.12, the statistical data used for vacancy rates, rent charges, dwelling/structure types will be determined by the Canada Mortgage and Housing Corporation (CMHC).

ii) Schedule "K" identifies the following local housing market zones for purposes of analyzing the Hamilton housing market:

a) Downtown/Central Hamilton
b) Central East Hamilton
c) East Hamilton
d) West Hamilton
e) Hamilton Mountain"

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Eisenberger. -1.

CARRIED.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1998 May 14

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1998 and respectfully recommends:

1. (a) That approval be given to Amended Zoning Application ZAC-98-12, Horvat Properties, owner, for a change in zoning from "A" (Conservation, Open Space, Park and Recreation) District to "C" (Urban Protected Residential, etc.) District (Block "1") and from "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District (Block "2") for lands located east of Greenhill Avenue, west of Webster Road and north of the existing railway line in the Nash Orchards Heights South draft approved plan of subdivision, as shown on the attached map marked as Appendix "A", on the following basis:

    (i) That Block "1" be rezoned from "A" (Conservation, Open Space, Park and Recreation) District to "C" (Urban Protected Residential, etc.) District; and,

    (ii) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District; and,

    (iii) That the Director of Planning and Development be directed to prepare a By-law to the satisfaction of the City Solicitor to amend Zoning By-law No. 6593 and Zoning District Map W-12 for presentation to City Council; and,

    (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

    (v) That, upon finalization of the implementing zoning By-law, the Gershome Neighbourhood Plan be amended as follows:

        (1) that Block "1" be redesignated from "Park and Open Space" to "Single and Double Residential"; and,

(2) that Block "2" be redesignated from "Single and Double Residential" to "Park and Open Space".

2. (a) That the remainder of the 1998 Festival Allocation be approved towards the Barton Village BIA Post-Promotional Reception Follow-up Budget, attached hereto as Appendix "B", as part of the Festival component of the Barton Street Revitalization Program; and,

(b) That the City Treasurer be authorized and directed to forward $2,989.79 to the Barton Village BIA.

3. That a loan increase of eight thousand, nine hundred and eighty-six dollars ($8,986) to Patricia Woolcott for improvements to 536 Concession Street be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The total loan is now $21,318. The interest rate is set at 3.25 per cent, amortized over ten years.

4. (a) That approval be given to Zoning Application ZAR-98-17, 1186559 Ontario Inc. (Hai Chaw Wah), owner, requesting removal of the 'H' - Holding provision under Section 36(1) of the Planning Act, R.S.O., 1990, to permit the development of the subject lands for ten (10) single family dwellings, for property located at 21 Brantdale Avenue, as shown on the attached map marked as Appendix "C"; and,

(b) That the appropriate By-law prepared by the Director of Planning, in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 as amended by By-law No. 98-61, and Zoning District Map W-7, be forwarded to Council for adoption.

5. (a) That approval be granted to application CDM-CONV-98-002 submitted by 1167829 Ontario Limited (D. Vranich), owner, for a draft plan of condominium for property located at No. 141 Catherine Street South, as shown on the attached map marked as Appendix "D", to provide for a condominium apartment building comprised of a 58 apartment units, subject to the following conditions:

(i) That this approval applies to the attached draft plan dated December 3, 1997, attached hereto as Appendix "E", prepared by R. Avis Surveying Inc., O.L.S.; and,

(ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,

(iii) That prior to approval of the final plan,

(1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and,

(2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593; and,

(3) the closed approach shall be removed and the sidewalk and the boulevard shall be restored to the satisfaction of the Director of Public Works and Traffic; and,

(iv) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,

(v) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required; and,

(b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,

(c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.

6. (a) That approval be given to Condominium Application 98-03 "Summerhill at Sandrina Gardens" (Regional File 25CDM-98004), DiCenzo Construction Company Limited, owner, to establish a draft plan of condominium, located at the south-east intersection of Upper Gage Avenue and Cadham Boulevard and known municipally as 10 Cadham Boulevard and 10 Beaverbrook Avenue, as shown on Appendix "F", subject to the following conditions:

(i) That this approval apply to the plan prepared by A.T. McLaren Ltd. and certified by S.D. McLaren, O.L.S., dated November 6, 1997, showing a total of 42 residential townhouse units; and,

(ii) That the final plan of condominium comply, in all respects, with the approved Site Plan (DA-97-06); and,

(iii) That the applicant satisfy all conditions of site plan approval applicable to the subject lands to the satisfaction of the City of Hamilton, prior to registration of the Final Plan of Condominium; and,

(iv) That the final plan conform with the applicable provisions of the City of Hamilton Zoning By-law No. 6593; and,

(v) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under section 51 of the Planning Act; and,

(vi) That the Owner request and receive approval from the Region of Hamilton-Wentworth to delete the subject lands from the draft approved plan of subdivision "Sandrina Gardens" (Regional File No. 25T-93010); and,

(vii) That the following warning clause be registered on title for Units 9 - 14 inclusive and Units 17 - 22 inclusive, to the satisfaction of the Director, Planning and Development and the City Solicitor:

"Purchasers are advised that access to the rear amenity area is provided through the living area of the unit."; and,

(viii) That the following warning clause be registered on title for all units within the development, to the satisfaction of the Director, Planning and Development and the City Solicitor:

"Purchasers are advised that on-site garbage pick up by the City of Hamilton will not be available for this site."; and,

(ix) That the Condominium Corporation be required to enter into and register on title the Agreement of the Condominium Corporation to assume and be bound by the Site Plan Agreement; and,

(x) That the owner satisfy all conditions, financial or otherwise, of the City of Hamilton; and,

(b) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

7. (a) That the Gourley Neighbourhood Plan showing the continuation of Appleblossom Drive, be reconfirmed; and,

(b) That the City confirms its requirement for the land shown on the Gourley Neighbourhood Plan as the extension of Appleblossom Drive, for municipal road purposes; and,

(c) That the City Clerk, Real Estate Division be authorized to negotiate a transfer of the road allowance from the School Board to the City of Hamilton for $1.00 in exchange for the City of Hamilton paying the Board's portion of the servicing costs of the roadway and that the School Board be given driveway access where it is required; and,

(d) That the Board of Education be requested to address this matter at its June, 1998 meeting.

8. (a) That approval be given to Official Plan Amendment No. 150, to delete and replace S.P.A. 68 with a new S.P.A. 68, to permit only limited commercial uses within the existing building, on lands known municipally as 852 Upper Wentworth Street, as shown on the attached map marked as Appendix "G", and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,

(b) That approval be given to Zoning Application ZAR-97-33, Nicola and Rosalba Clarizio, owners, for a further modification to the "C" (Urban Protected Residential, etc.) District to permit general office space and a showroom on the second floor of the existing building, for lands located at 852 Upper Wentworth Street, as shown on the attached map marked as Appendix "G", on the following basis:

(i) That the "C" (Urban Protected Residential, etc.) District, as contained in Section 9 of Zoning By-law No. 6593, as modified by By-laws No. 95-111 and 97-153, applicable to the subject lands, be further modified to include the following:

(1) delete Clauses (i) and (ii) of Section 2(a) of By-law No. 95-111, and replace with a new Clause (i) as follows:

"(i) general offices and a kitchen cabinet showroom on the first and second floor and having a maximum total gross floor area of not more than 288 m^2 (3100 square feet); and,;"

(2) renumber the existing Clause (iii) of Section 2(a) to Clause (ii); and,

(3) add a new Section 2(d):

"(d) access to the subject lands shall only be provided from Upper Wentworth Street."; and,

(ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-1336b, and that the subject lands on Zoning District Map E-18 be notated S-1336b; and,

(iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18; and,

(iv) The proposed further modification in zoning will be in conformity with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. 150 by the Regional Municipality of Hamilton-Wentworth.

9. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-74 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 98-061 Respecting Lands Located at Municipal No. 21 Brantdale Avenue.

(b) C-75 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-laws No. 76-233; 87-78; 77-148; 77-264 and 80-096 Respecting Lands Located at Municipal Nos. 400 York Boulevard and 16 Magill Street.

(c) C-76 A By-law to Amend By-law No. 87-308 as Amended by By-laws No. 92-079 and 98-118 Respecting Members of the Board of Management of the Barton Village Business Improvement Area.

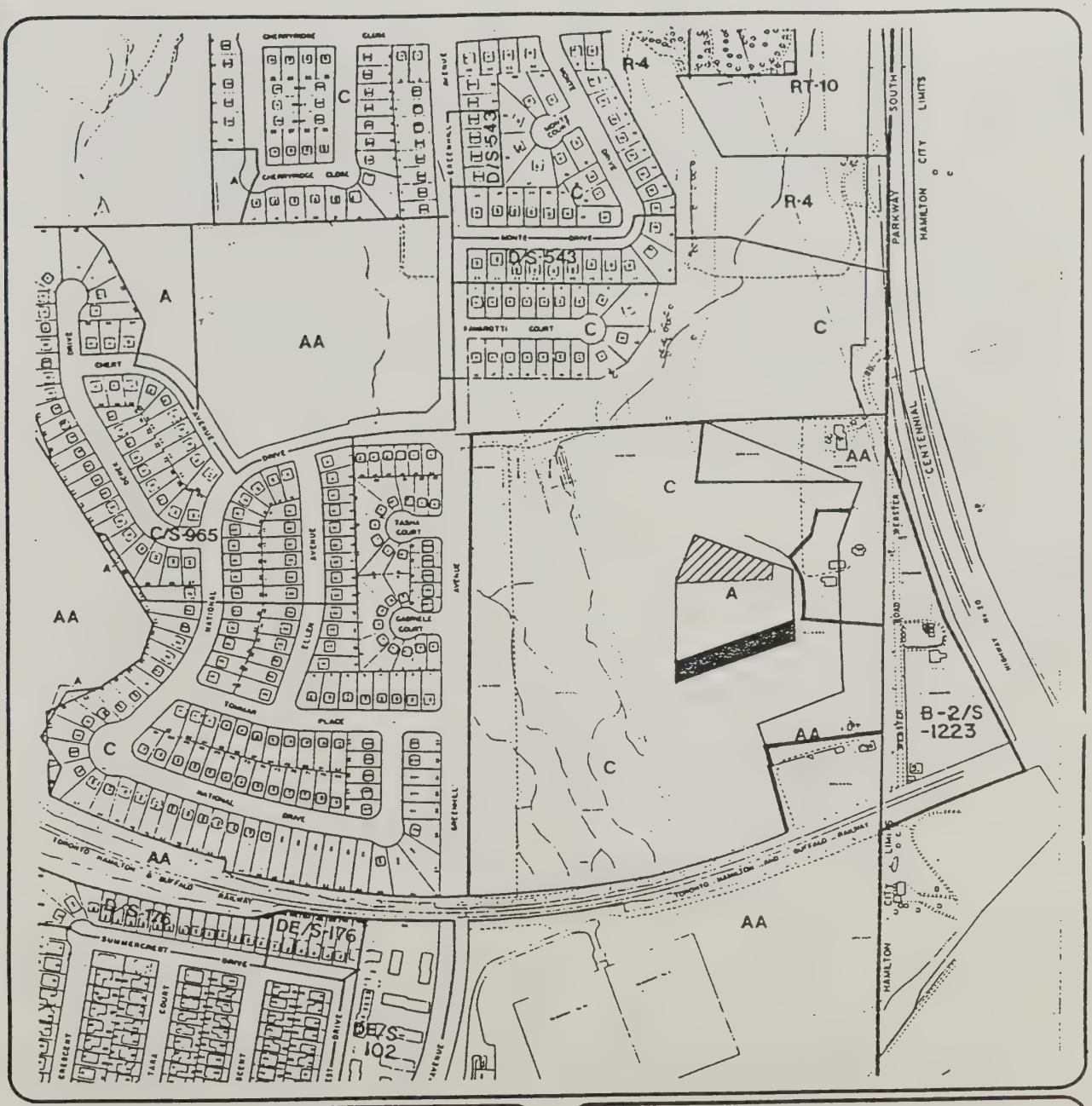
(d) C-77: A By-law to Adopt Official Plan Amendment No. 149 Respecting Lands Located at 10 Dartnall Road within the Hannon North Neighbourhood. **ADDED.**

(e) C-78: A By-law to amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 10 Dartnall Road. **AMENDED.**

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1998 May 20



Legend

Change in Zoning:

BLOCK 1 — from "A" (Conservation, Open Space, Park and Recreation) District to "C" (Urban Protected Residential, etc.) District;

BLOCK 2 — from "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District;

City of Hamilton

Location Map

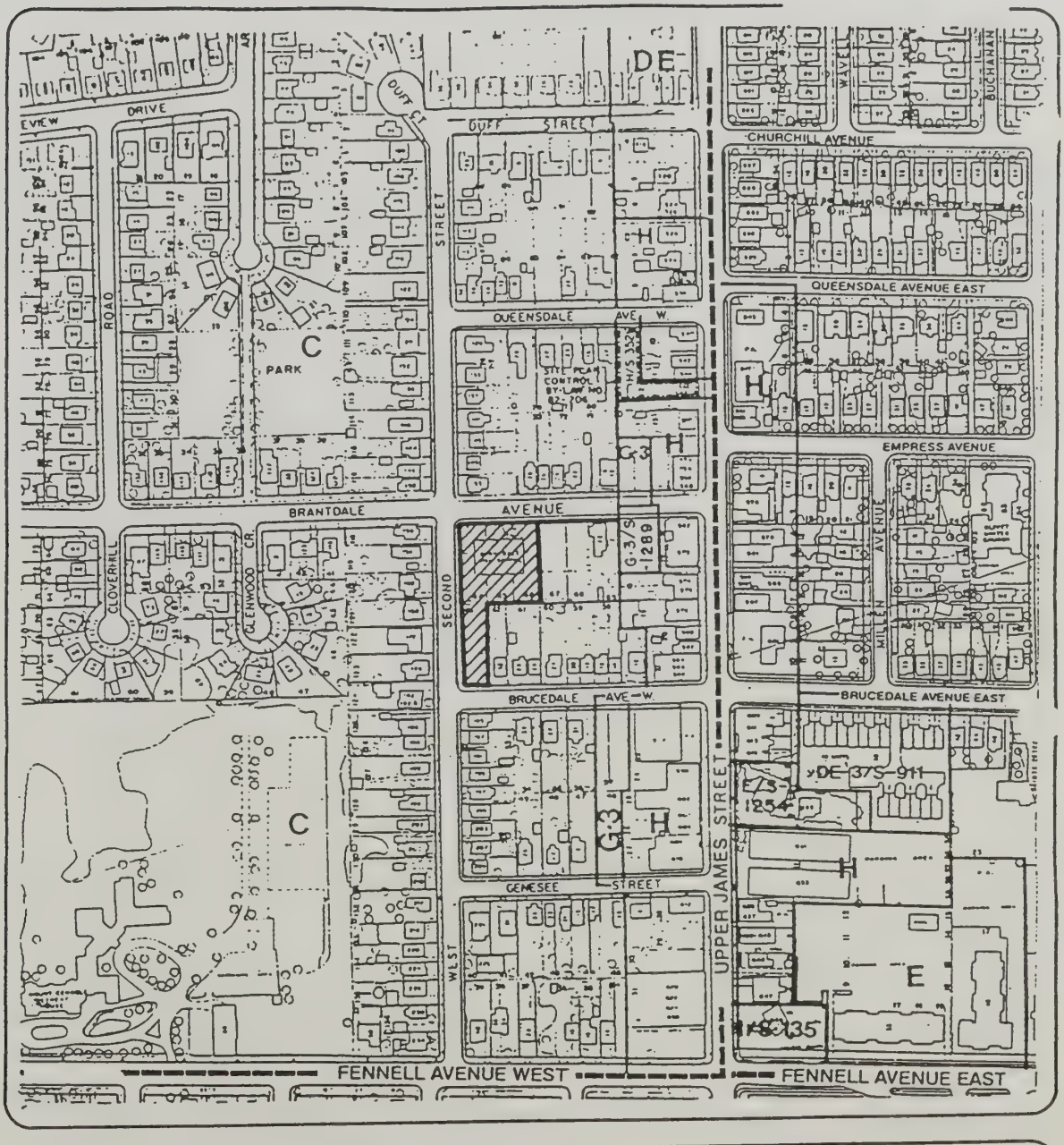
Planning and Development Department

North	Scale	Reference File number
	NOT TO SCALE	ZAC-98-12
	Date	Drawn By
	MAY 1998	D.L.

Barton Village BIA Post Promotional Reception Follow-up

1998 June

Banquet Hall/Food/Refreshments		$ 450
Folders and Inserts		$1,100
Invitations and Postage		$1,100
Miscellaneous Office Supplies		$ 100
	Sub-total	$2,750
	10% Contingency	$ 415
	TOTAL	$3,165



City of Hamilton
Location Plan For

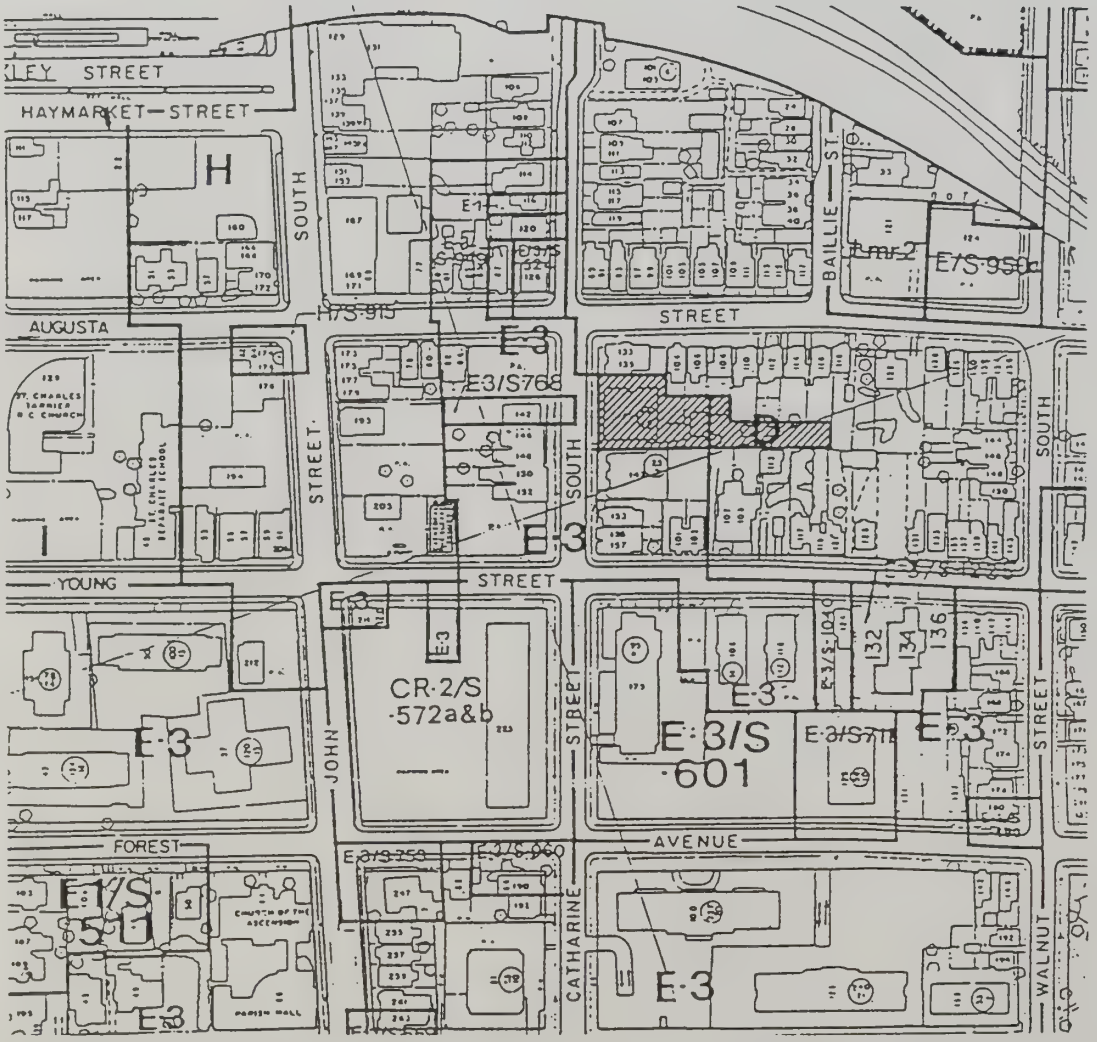
Location Map

Planning and Development Department

Legend

Site of the Application

North	Scale	Reference File number
	Not to Scale	ZAR-98-17
	Date	Drawn By
	May 1998	D. L.



City of Hamilton

Location Plan For

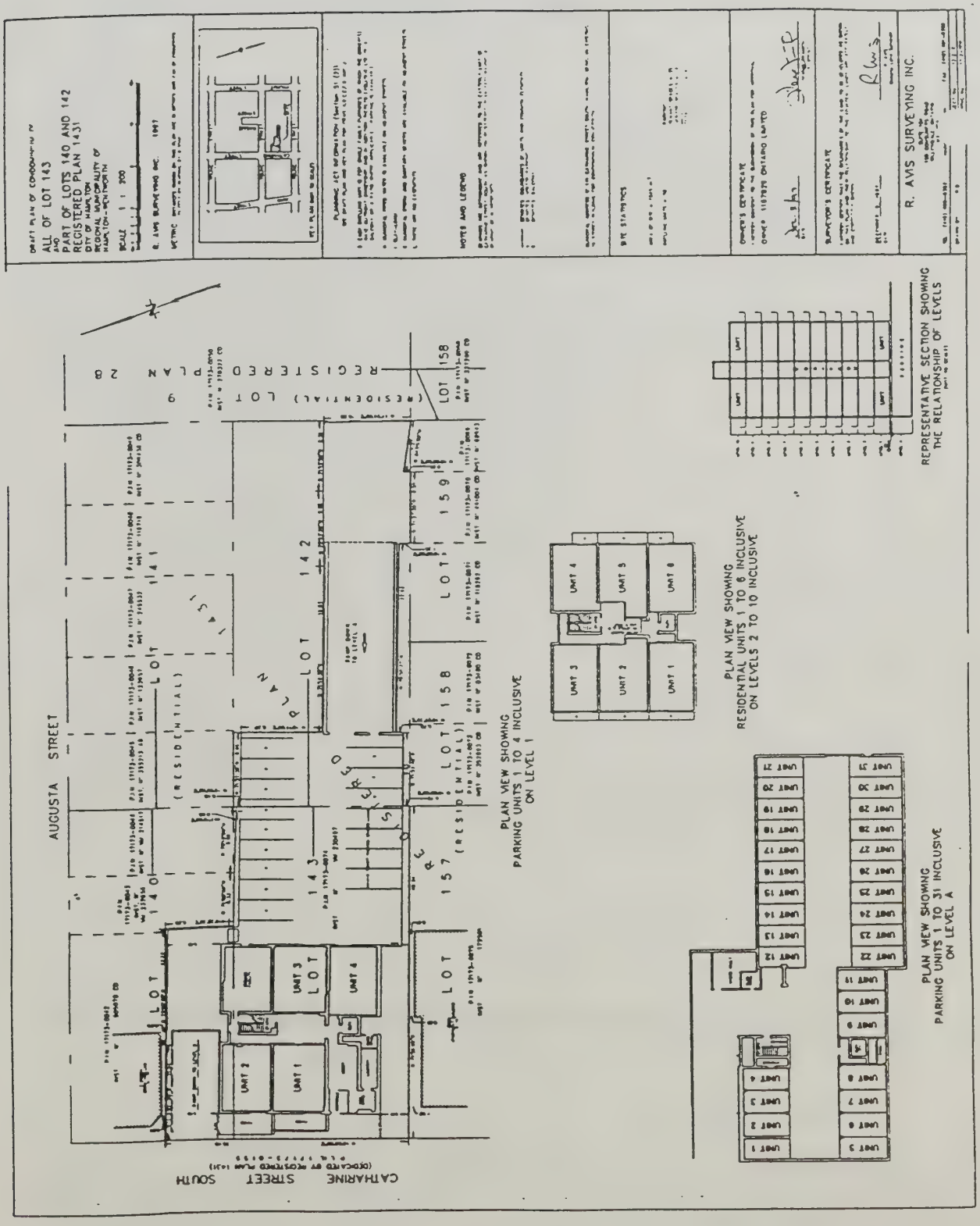
141 Catharine St. S.

Planning and Development Department

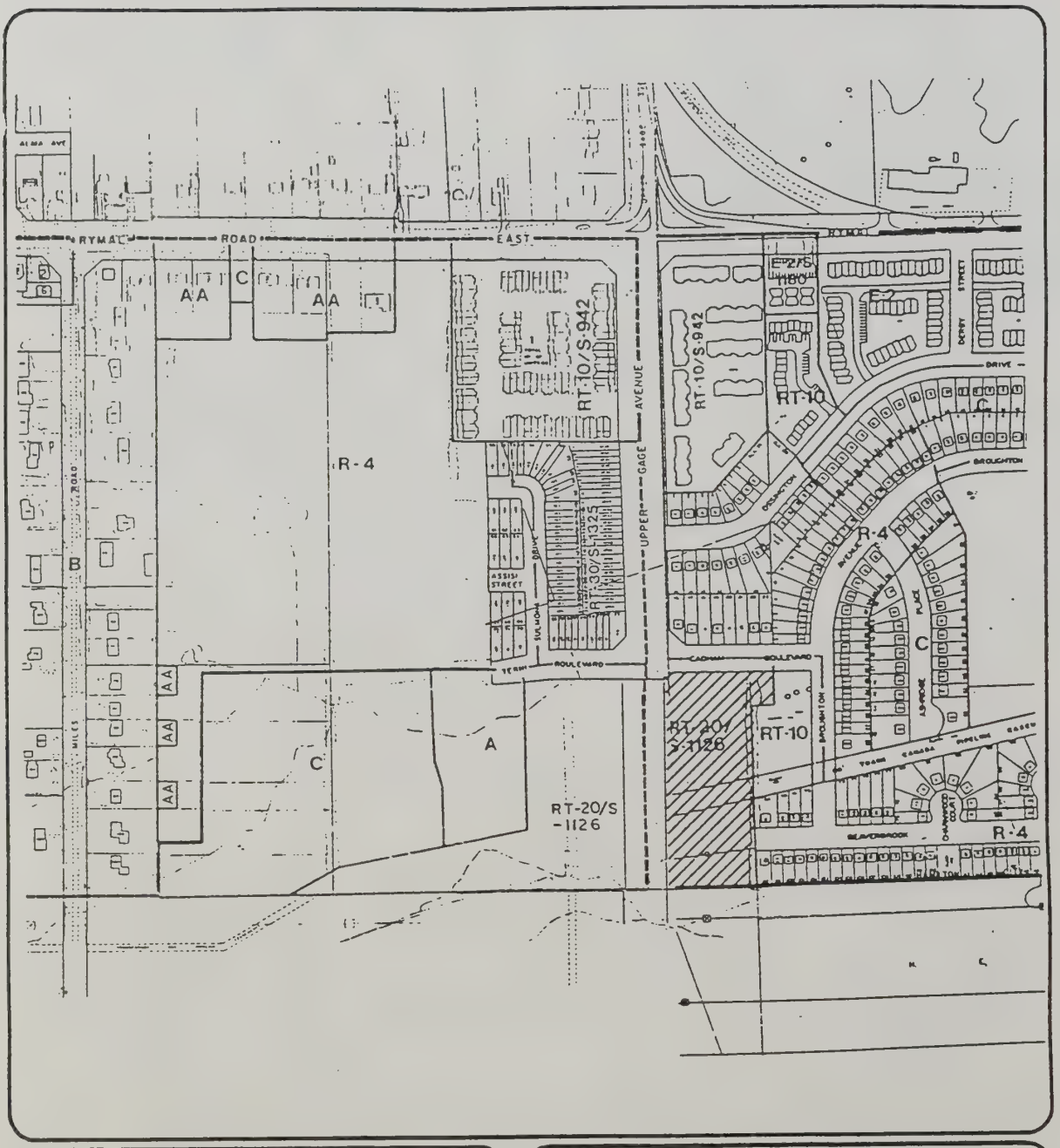
Legend

Location of Subject Lands

North	Scale	Reference File No.
	Not to Scale	CDM -CONV-98-002
	Date	Drawn By
	May 1998	FAB


DRAFT PLAN OF CONDOMINIUM
ALL OF LOT 143
AND
PART OF LOTS 140 AND 142
REGISTERED PLAN 1431
R. AMS SURVEYING INC.
NOTES AND LEGEND
SURVEYOR'S CERTIFICATE
OWNER'S CERTIFICATE
REGISTERED PLAN 28
(RESIDENTIAL) LOT 9
LOT 158
LOT 159
LOT 142
LOT 141
LOT 140
LOT 143
LOT 157
AUGUSTA STREET
CATHARINE STREET SOUTH
UNIT 1
UNIT 2
UNIT 3
UNIT 4
PLAN VIEW SHOWING PARKING UNITS 1 TO 4 INCLUSIVE ON LEVEL 1
PLAN VIEW SHOWING RESIDENTIAL UNITS 1 TO 6 INCLUSIVE ON LEVELS 2 TO 10 INCLUSIVE
REPRESENTATIVE SECTION SHOWING THE RELATIONSHIP OF LEVELS
PLAN VIEW SHOWING PARKING UNITS 1 TO 31 INCLUSIVE ON LEVEL A

Appendix "F" referred to in Section 6(a) of the **ELEVENTH** Report of the Planning and Development Committee for 1998



City of Hamilton

Location Plan For

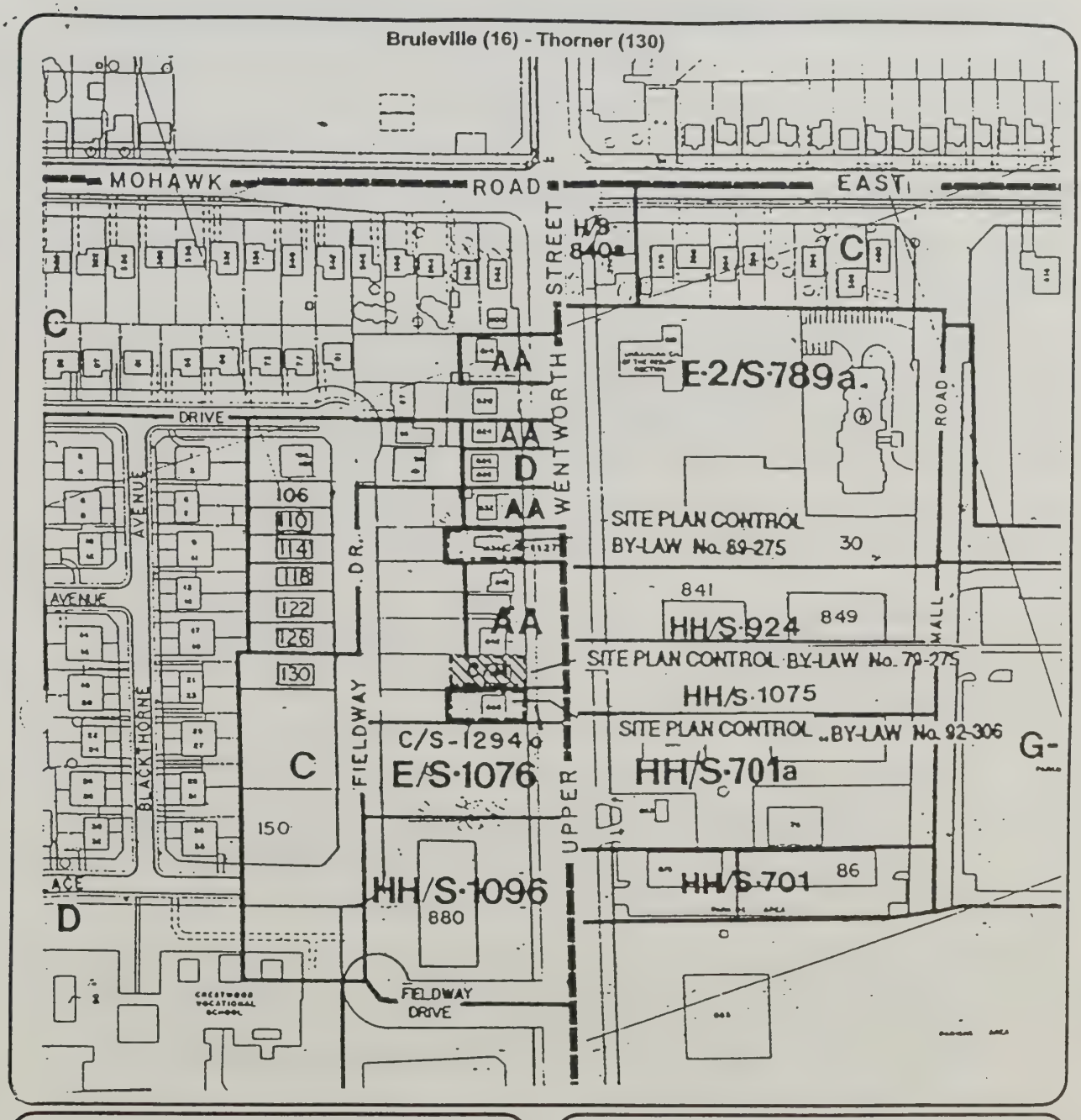
10 Cadham Blvd. and 10 Beaverbrook Ave.

Planning and Development Department

Legend

Location of Subject Lands

North	Scale	Reference File No.
	Not to Scale	CDM -98-003
	Date	Drawn By
	May 1998	FAB



Legend

BLOCK 1 — Further modification to the "C" (Urban Protected Residential, etc.) District

City of Hamilton

Location Map

Planning and Development Department

North	Scale	Reference File No.
	NOT TO SCALE	ZAR-97-33
	Date	Drawn By
	OCTOBER, 1997	B. B.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1998 and respectfully recommends:

1. (a) That the Region be authorized to act as the City of Hamilton's agent by providing construction and contract administration services for the construction of the roadway/ sidewalk/concrete/electrical components of the Ferguson Avenue Master Plan between King William Street and King Street East; and,

   (b) That a purchase order be issued to the Region in the amount of $668,000 to cover the cost of providing these services; and,

   (c) That $298,000 of the costs associated with these works be charged to Account Number CF 5200 529842010 (City's 1998 Road and Sidewalk Reconstruction) and, $370,000 be charged to Account Number CF 409755037 (Downtown Phase Ferguson Avenue Master Plan); and,

   (d) That the staff review the Street Enhancements not included in the Dufferin Tender (excluding lighting poles at a cost of $100,000 which should proceed with the Dufferin Contract) budget for an amount of $300,000 to determine how these enhancements may be modified realizing that the total project costs have substantially (approximately $600,000. plus expropriation costs) increased; and,

   (e) That staff return to the Planning and Development Committee with a cost benefit analysis of the two alternatives between King Street and Main Street, after input through the Expropriation Procedures and discussions with the owners of the properties adjacent to the former railway right-of-way.

Respectfully submitted,

ALDERMAN F. D'AMICO, CHAIRMAN PLANNING AND DEVELOPMENT COMMITTEE

Susan Reeder, Acting Secretary
1998 May 26

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1998 and respectfully recommends:

1. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

   (i) 6 Dartnall
   (ii) 70 Niagara
   (iii) 1420 Garth #36
   (iv) 194 John South

   (b) That a by-law to authorize the said Extension Agreements be enacted by City Council; and,

   (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

2. That as referred to in Section 1 of the Eleventh Report for 1998 of the Committee of the Whole approved by City Council on Thursday, 1998 May 14th, the City's share of "Tiffany-Phase 2" servicing at a cost of $10,421 be financed from Centre No. CH 00212 "Reserve for Development Charges".

3. (a) That City Council provide authorization to retain independent counsel to represent the City in proceedings arising from the disposal of materials by the Hamilton Fire Department, removed from 231 Gage Avenue North; and,

   (b) That pursuant to the Indemnification By-law, that City Council provide independent counsel to represent staff and the Aldermen named in the above proceedings.

4. That an additional Licence Inspector be transferred to the Building Department as part of the reorganization of the City Clerk's Department recently approved by City Council.

5. (a) (i) That the City Clerk be authorized and directed to ensure that required emergency repairs are carried out to maintain the minimum property standards on properties acquired through the tax sale process; and,

(ii) That the City Clerk be authorized and directed to make repairs to tax sale properties where the repairs are beyond the minimum requirement as long as the costs of said repairs can be justified on a business case scenario and subject to Committee and City Council approval; and,

(iii) (1) That the City Clerk be authorized and directed to prepare a proposal call in order to retain a Property Management firm(s) which will manage surplus City properties when necessary during the transition of being sold; and,

(2) That notwithstanding this policy, if there is an existing Property Management firm in place upon the City obtaining title to a particular property, the City have the option to retain the existing firm in order to utilize their services; and,

(b) That revenue and expenditure accounts be established within the accounts of the Real Estate Division of the City Clerk's Department to detail costs incurred for maintenance and general repairs and the rents received on properties acquired by the City through the tax sale process; and,

(c) That the net surplus/deficit for the maintenance of these tax sale properties be transferred annually to the Reserve for Property Purchases.

6. (a) That the 1997 Financial Report for the Corporation of the City of Hamilton, previously distributed to members of City Council, and available from the Committee Secretary upon request, be approved; and,

(b) That the City Treasurer publish the required 1997 Financial Information, based on the audited Report, in the Hamilton Spectator, within the next 60 days.

7. That a purchase order be issued to Grand and Toy, Hamilton, to supply and deliver office supplies to various departments for a period of one (1) 12-month term with an option in favour of the City to renew for two (2) 12-month terms, being the lowest of four proposals received, in accordance with a Request for Proposal issued by the Purchasing Department and Vendors Proposal, and be financed through various approved Office Supplies Accounts.

8. (a) That as referred to in Section 9 of the Thirteenth Report for 1998 of the Finance and Administration Committee, approved by City Council at its meeting held Tuesday, 1998 May 12th, that the authorized gross cost of Replacement of Boilers - City Hall, the combined Account Centre No. CF 319741037, be increased by $85,000 from $245,000 to $330,000; and,

(b) That the additional cost of $85,000 be financed by the Reserve for Capital Projects, Account Centre No. CH 00203.

9. (a) That the following policy be adopted:

> The City of Hamilton supports female employees who choose to continue breastfeeding upon returning to work from pregnancy/parental leave. It also supports and encourages breastfeeding by members of the public using City premises.

(b) That, if additional time is required for breastfeeding and/or expressing, employees be permitted to use lieu time where operationally possible.

10. (a) That a design-build contract be awarded to Triple Crown Enterprise Ltd., 170 Shaw Street, Hamilton in the amount of $201,160, including GST, for the Barrier Free Design modifications to the Canadian Football Hall of Fame building at 58 Jackson Street West; and,

(b) That the Building Commissioner be authorized to carry an additional $35,000 project contingency to cover unforeseen items which may arise during construction; and,

(c) That these expenditures be funded from the account: Barrier Free Design Modifications - CF 809453005; and,

(d) That a contract satisfactory to the City Solicitor be entered into between the City and Triple Crown Enterprises Ltd., 170 Shaw Street, Hamilton; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the design-build contract in a form satisfactory to the City Solicitor.

11. That the City of Hamilton By-law 93-069, Schedule 17, respecting Salvage and Second Hand Goods Businesses, be amended to provide for the following:

(a) (i) That any individual selling or trading second hand goods be required to produce some form of government issued identification and submit to either a video or photo identification; and,

(ii) That the video and photo identification be retained for 30 calender days for non-transient and resident Second Hand Goods dealers; and 60 calender days for transient and non-resident Second Hand Goods dealers; and,

(b) That the retention period for purchased or traded goods be increased from 14 days to 30 calender days; and,

(c) That only vendors selling or buying the following types of second hand goods be required to obtain a licence: jewellery, precious gems, time pieces, musical instruments, tools, coins, auto parts, cameras and electronic components; such as, stereos, televisions, CD players, fax machines, computer components; and,

(d) That all transient or non-resident Second Hand Goods dealers be required to apply for a licence at least 30 days in advance of opening for business and all goods purchased must be retained in the City of Hamilton for 60 days, at a location accessible during normal business hours; and,

(e) That the following definitions be added:

(i) "electronic components" includes stereos, televisions, compact disk players, video players and recorders, facsimile machines, computers, video cameras, and their components;

(ii) "jewellery" means articles of personal adornment made in whole or part of silver, gold or platinum metal;

(iii) "salvage or second-hand goods shop or yard" means premises used for the collection, storage, or buying of used manufactured or processed goods, materials or parts, including automobiles or auto parts, whether or not they are further recycled, repaired or salvaged, and which in whole or part are sold or offered for sale by retail;

(iv) "antiques" means furniture and other goods or articles commonly recognized as collectable because of their quality, value or age, and reproductions of such items, but not including jewellery, precious gems, time pieces, musical instruments, tools, cameras, camera components, or coins;

(v) "works of art" means paintings, photographs, sculpture and other products of artisans commonly recognized as collectable because of their quality or value, but not including jewellery, precious gems, time pieces or coins; and

(f) That the City Solicitor be authorized and directed to prepare a by-law, consolidating Schedule 17 with the above amendments, to repeal and replace Schedule 17.

12. (a) That a construction contract be awarded to STF Construction Limited, 148 Stapleton Avenue, Hamilton in the amount of $277,866 including G.S.T. for the Barrier Free Design Modifications to the following three buildings:

55 King William Street	- Fire Department Administration Building
32 York Boulevard	- Eaton's Centre Parkade
80 Main Street West	- Summers Lane, Parking Services; and,

(b) That the Building Commissioner be authorized to carry an additional $50,000 project contingency to cover unforeseen items which may arise during construction; and,

(c) That these expenditures be funded from Barrier Free Design Modifications Account No. CF-809453005; and,

(d) That a contract satisfactory to the City Solicitor be entered into between the City and STF Construction Limited, 148 Stapleton Avenue, Hamilton; and,

(e) That the Mayor and the City Clerk be authorized and directed to execute the design build contract in a form satisfactory to the City Solicitor.

13. That the City retain outside counsel to commence proceedings to stay the implementation of the Arbitration Award on 1998 April 1 by Arbitrator Bendel, and to file for Judicial Review.

14. That the Federation of Canadian Municipalities be advised that Hamilton City Council nominates Alderman B. Charters as its nominee for consideration as a member of the National Board of Directors of the Federation of Canadian Municipalities.

15. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

    (a) D-28 A By-law to amend By-law No. 79-323 as consolidated in By-law No. 93-069 respecting Repeal of Cartage Licensing and Fees

    (b) D-29 A By-law to authorize an extension agreement for payment of Realty tax arrears

    (c) D-30 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 May 19

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1998 and respectfully recommends:

1. (a) That Council approve a policy for financing the acquisition of vehicles and equipment, making provisions for:

   (i) all new vehicles and equipment required as expansions or additions to be financed from capital budgets; and,

   (ii) all new vehicles and equipment added as expansions or additions to also include the appropriate provision in the current budget for ongoing maintenance and operation; and,

   (iii) all vehicles and equipment being replaced to be financed from the equipment reserve accounts.

   (b) That the cost of (1) 5 Gang Sports Field Mower and a four-wheel Turf Truckster for a total of $75,900 be charged to the Reserve for Capital Projects.

2. That the Alcohol & Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by the New Dynes Tavern, 337 Beach Boulevard, Hamilton for a Temporary Extension of Liquor Licence for 1998 July 11 - 12 for the Annual Beach Boulevard Auction and Garage Sale and has no objection to the issuance of this Permit on the following conditions:

   (a) That the requirements of the Hamilton-Wentworth Regional Police are satisfied; and,

   (b) That the appropriate fencing is erected in accordance with the requirements of the AGCO; and,

   (c) That the City's Noise Control By-law requirements are followed.

3. That the Alcohol & Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by Sam's Pizzeria & Restaurant, 568 Concession Street, Hamilton for a Temporary Extension of Liquor Licence for Saturday, 1998 June 6th to set up a fenced patio in front of their restaurant during the Concession Streetfest, and has no objection to the issuance of this Permit on the following conditions:

   (a) That the requirements of the Hamilton-Wentworth Regional Police are satisfied; and,

   (b) That the appropriate fencing is erected in accordance with the requirements of the AGCO; and,

   (c) That the City's Noise Control By-law requirements are followed; and,

   (d) That Sam's Pizzeria provides proof of $5 million liquor liability insurance naming the City of Hamilton and the Region of Hamilton-Wentworth as cross liability.

4. (a) That the City of Hamilton agree to release Sunil Syal and Shalini Syal from their obligation to fulfil and complete the requirements of the Offer to Purchase for 1319 Main Street East, Hamilton dated 1997 November 25; and,

   (b) That the $5,000 deposit be returned by the Treasury Department; and,

   (c) That the Mayor and City Clerk be authorized and directed to execute any documentation, satisfactory to the City Solicitor, required to effect such release; and,

   (d) That the Real Estate Division of the City Clerk's Department be authorized and directed to relist and sell the property at 1319 Main Street East.

(e) That the above recommendations be conditional upon the City of Hamilton obtaining a release from any real estate commission obligation with the Listing Broker and the Selling Broker of the property at 1319 Main Street East.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1998 May 26

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FOURTH** Report for 1998 and respectfully recommends:

1. (a) That the Garage B2 Licence of Radcliffe Reid at 315 Beach Boulevard, be suspended on the grounds of the licensee's continuing non-compliance with the City of Hamilton Licence By-law since 1994, and his failure to comply with a Provincial Offences Court Prohibition Order; until:

   (i) The Licence Division is satisfied that the premises at 315 Beach Boulevard are in an orderly and clean condition without any scrap, debris or refuse lying about; and,

   (ii) That all outstanding fines have been paid.

   (b) That upon the lifting of the suspension, a three year probationary period be imposed upon this licence.

   Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

ALDERMAN F. EISENBERGER, CHAIRPERSON
CITY OF HAMILTON LICENSING COMMITTEE

Stella Glover
Secretary
1998 May 13

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **FIFTH** Report for 1998 and respectfully recommends:

1. That Alderman Ron Corsini be appointed to serve on the Hamilton Mundialization Committee for a term to expire 2000 November 30.

2. That Alderman B. Kelly be appointed Chairman of the Committee of the Whole for the months of June, July and August, 1998.

Respectfully Submitted,

Mayor R. M. Morrow
Chairman
Nominating Committee

J. J. Schatz, Secretary
1998 May 26

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Committee of the Whole\City Council
Friday, 1998 May 29
1:45 o'clock p.m.
Room 233, City Hall

URBAN MUNICIPAL

JUN 12 1998

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico.

Absent: Alderman D. Haining - Other business
Alderman G. Copps - Other business
Alderman D. O'Sullivan - Other business

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * *

It was moved by Alderman Wilson and seconded by Alderman Caplan that City Council move into Committee of the Whole to consider resolutions respecting the consolidation of administrative services with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. -14.

NAYS: -0.

CARRIED.

RESOLUTIONS
Consolidation of Administrative Services
Bill E-010

Resolution respecting consolidation of the administrations of the City of Hamilton and Regional Municipality of Hamilton-Wentworth.

It was moved by Alderman Wilson and seconded by Alderman Charters that the consolidation of the administrations of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth commence immediately. **CARRIED.**

* * * * * * * * * * * * * * * *

Resolution respecting consolidation of administrations.

It was moved by Alderman Wilson and seconded by Alderman Charters:

1. That the position of Chief Administrative Officer of the consolidated administration be filled; and,

2. That the competition be restricted to internal candidates of the Region and City; and,

3. That a selection committee be formed comprised of the Chairman and Vice Chairman of Finance and Administrative Services Committee of the Region, the Chairman and Vice Chairman of the Finance and Administration Committee of the City, the Mayor of the City of Hamilton, and the Regional Chairman; and,

4. That the Selection Committee recommend a candidate of the City and Regional Councils no later than June 30, 1998; and,

5. That an Implementation Committee be created with a mandate to guide the consolidation comprised of an equal number of members from the Councils of the City of Hamilton and the Region of Hamilton-Wentworth. **CARRIED.**

* * * * * * * * * * * * * * * *

Resolution respecting Collaborative Agreement

It was moved by Alderman Charters and Alderman Wilson that the Province of Ontario be requested to adopt the Collaborative Agreement for the Municipalities of Hamilton-Wentworth approved, as amended by Regional Council at its special meeting held on Saturday, May 9, 1998, or institute a single tier municipality for Hamilton-Wentworth with representation by population, and that regardless of which model is approved by the Province, that the Province forward the transitional funding immediately. **CARRIED.**

* *

It was moved by Alderman Wilson and seconded by Alderman Caplan that the Report of the Committee of the Whole on resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico. -14.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 3:30 o'clock p.m.

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Taken as read and approved.

MAYOR R. MORROW

J. J. Schatz
1998 May 29
JJS/dg

Minutes of Committee of the Whole\City Council
Thursday, 1998 June 11
10:45 o'clock a.m.
Hamilton Convention Centre

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Jackson, Anderson, D'Amico.

Absent: Alderman F. Eisenberger - Vacation
Alderman B. Charters - Vacation
Alderman B. Kelly - Personal Business
Alderman D. O'Sullivan - Other Business

Mayor R. M. Morrow called the meeting to order.

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It was moved by Alderman Anderson and seconded by Alderman Morelli that Section 3 (d) of Procedural By-law 95-167, respecting the provision of 24 hours notice for the calling of a Special Council Meeting, be suspended for this meeting of City Council. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Morelli that the Report of the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Jackson, Anderson, D'Amico. -13.

NAYS: -0. **CARRIED.**

URBAN/MUNICIPAL
CA4 ON HBL AOS
M21
1998

COMMITTEE OF THE WHOLE - FIFTEENTH REPORT
Offer to Purchase Agreement - 1063\1071 Barton St. E.
Application - L.A. Bats' Eatery and Sports Bar
Bill E-011

URBAN MUNICIPAL
JUN 24 1998
GOVERNMENT DOCUMENTS

Section 1 Re: Offer to Purchase Agreement - 1063\1071 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Jackson, Anderson, D'Amico. -12.

NAYS: Alderman Kiss. 1. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Jackson, Anderson, D'Amico. -13.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 11:00 o'clock a.m.

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Taken as read and approved.

MAYOR R. MORROW

S. G. Hollowell
Acting City Clerk
1998 June 11
SG/dg

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIFTEENTH** Report for 1998 and respectfully recommends:

1. (a) That an Offer to Purchase Agreement for 1063/1071 Barton Street East for the price of $129,000, executed by Oakwood Place Inc. (Walter Mack), dated 1998 June 9, and scheduled to close on or before 1998 August 6, be accepted. The said lands being composed of Part of Lots 37 and 38 on Plan 562 and part of Lot 5, Concession 1, in the former Township of Barton, now in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, having a frontage of 26.0 metres (85.31 feet) more or less, along the northern limit of Barton Street East, comprising an area of 2,189.93 square metres (23,573.00 square feet) more or less, having a right-of-way in favour of the subject over the easterly 1.52 metres (5.0 feet) by 67.05 metres (220.0 feet) of the lands lying immediately to the west, and subject to a right-of-way in favour of the lands lying immediately to the west over the westerly 1.52 metres (5.0 feet) of the subject lands, with all structures erected thereon, which lands were vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended. Funds derived from this sale of $129,000, less a commission of $7,740, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

   (b) That the required deposit cheque in the amount of $12,000 be held by the City Treasurer pending Council approval; and,

   (c) That upon successful completion of this sale, a real estate commission of $7,740 (6% of the $129,000 sale price, plus GST) be paid to Royal LePage Commercial Inc. (Sales Representative Stephen Green), who acted in this matter; and,

   (d) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

      (i) that satisfactory notice has been given to the public of the intended sale;

      (ii) that an appraisal of the fair market value of the real property intended to be sold was obtained on 1998 June 10.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Jackson, Anderson, D'Amico. -12.

NAYS: Alderman Kiss. 1. **CARRIED.**

2. (a) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton is aware of the application by L.A. Bats' Eatery & Sports Bar, 157 Main Street East, for a temporary extension of liquor licence for 1998, from 5:00 p.m. on Saturday June 13 to 2:00 a.m. on Sunday June 14, to host a charity event for the benefit of Mr. Dexter Evelyn and the Lupus Society of Hamilton, and has no objection to the issuance of this licence; and,

(b) That the applicant be granted permission for the sale or consumption of alcoholic beverages within the boundaries of Municipal Parking Facility #07, 171 Main Street East, only in conjunction with aforesaid Charity Event, to take place 1998, June 13 and 14; and,

(c) That the applicant be permitted to temporarily erect and utilize such structures as may be necessary to effect an outdoor patio cafe, occupying approximately 1,500 square feet of the aforesaid municipal parking facility; and,

(d) That all of the above are subject to the Standard Terms and Conditions of the Special Events Guidelines.

3. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-011 By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

S. G. Hollowell, Acting Secretary
1998 June 11

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1998

Minutes of Committee of the Whole\City Council
Tuesday, 1998 June 16
7:30 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor R. Morrow.
Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.

Absent: Alderman F. Eisenberger - Vacation

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole and the Finance and Administration Committee be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - SIXTEENTH REPORT

Corporate Human Resource and Financial Replacement System - Phase II Report
Corporate Human Resource & Financial Information System Implementation System Strategy

Section 1 Re: Corporate Human Resource and Financial Replacement System - Phase II Report

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Mayor Morrow, Aldermen Kiss, Haining, Copps. -4. **CARRIED.**

* * * * * * * * * * * * * *

Section 2 Re: Corporate Human Resource and Financial Information System - Implementation System

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Mayor Morrow, Aldermen Kiss, Haining, Copps. -4.

CARRIED.

COMMITTEE OF THE WHOLE - SIXTEENTH REPORT

Purchase Order - Hamilton Museum Of Steam and Technology Conservation Project

Polo's Tap and Grill - Temporary Extension of Liquor Licence

Regional Municipality of Hamilton-Wentworth - assume operating costs

Bill E-012

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 7:35 o'clock p.m.

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Taken as read and approved.

MAYOR R. MORROW

J. J. Schatz,
City Clerk
1998 June 16
JJS/dg

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTEENTH** Report for 1998 and respectfully recommends:

1. (a) That the Corporate Human Resource and Financial Replacement System - Phase II Report as outlined in Report FIN98029(a), be approved; and,

(b) That, based on the results of the detailed evaluation in Phase II, PeopleSoft Canada Ltd. be chosen as the City of Hamilton and Regional Municipality of Hamilton-Wentworth's preferred vendor for replacing the existing Human Resources & Financial systems; and,

(c) That the one-time license fee for the use of the Enterprise Software (as described in Appendix A, attached to Report FIN 98029(a), and including 1st year maintenance) be $1,725,000 plus applicable taxes; and,

(d) That Influatec Systems Inc. be the approved vendor for the purchase of the Salary Management System module at a one time license fee of $118,000 plus applicable taxes (and including 1st year maintenance fee); and,

(e) That the City of Hamilton and the Regional Municipality of Hamilton-Wentworth (and any Boards and Commissions governed by the City or Region) enter into licensing contracts with PeopleSoft Canada Ltd. and Influatec Systems Inc., in a form suitable to the Treasurers, Commissioner of Human Resources, Director of Information Systems and Solicitors of both Corporations; and,

(f) That the Mayor and Clerk of the City of Hamilton and the Chairman and Clerk of the Regional Municipality of Hamilton-Wentworth be authorized and directed to execute the necessary agreements which are being made on behalf of their respective municipalities and on behalf of all their affiliated bodies, such as boards and commissions; and,

(g) That the annual maintenance fees for the Peoplesoft Enterprise Software of $310,500 per year for years 2 through 5, be pre-paid and charged to the Information Systems' Operating Budget during the years 1999 to 2002.

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Mayor Morrow, Aldermen Kiss, Haining, Copps. -4. **CARRIED.**

2. (a) That the Corporate Human Resource and Financial Information System (HR/FIS) Implementation Strategy, as outlined in Report FUB98029(b) be approved; and,

(b) That the PeopleSoft Canada Ltd. Implementation Partner of Price Waterhouse/IBM be retained to provide the prime external resources for implementation assistance and, the Manager of Purchasing issue a Request for Proposal for other external consulting services where required at a total cost not to exceed $1.5 million; and,

(c) That the Mayor and Clerk of the City of Hamilton and the Chairman and Clerk of the Regional Municipality of Hamilton-Wentworth be authorized and directed to execute the necessary agreements which are being made on behalf of their respective municipalities and on behalf of all their affiliated bodies, such as Boards and Commissions.

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Corsini, Morelli, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Mayor Morrow, Aldermen Kiss, Haining, Copps. -4. **CARRIED.**

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Kevin C. Christenson
Acting Secretary
1998 June 16

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SIXTEENTH** Report for 1998 and respectfully recommends:

1. (a) That approval be given to issue a Purchase Order to 818185 Ontario Inc. O/A Robertson Restoration of Brantford, Ontario as the General Contractor to undertake the work in the Hamilton Museum of Steam and Technology conservation project.

   (b) The Purchase Order amount will be ($ 617,000.00) Six Hundred and Seventeen Thousand Dollars which includes ($ 40,369) Forty Thousand and three hundred and sixty nine dollars of applicable GST. and will be financed from Steam Museum Pumphouse Restoration, CF 719241003, Risk Management-Various C&R Facilities, CF 709755034, Barrier Free Access- Rec. Bldgs (M1610103), CF 809453003 and Hamilton Steam and Technology Museum-Operational Improvements, CF 719841057.

   (c) That a contract satisfactory to the City Solicitor be entered into between the City and the Prime Consultant; and,

   (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City; and,

   (e) That the Director of Culture and Recreation be authorized to expend a project contingency of $23,000 for unexpected additional work related to the conservation. This amount is not included in the Purchase Order issued to the Contractor.

2. (a) That the Alcohol and Gaming Commission of Ontario (A.G.C.O.) be advised that the City of Hamilton is aware of the application of Polo's Tap & Grill, 18 Hess Street South for a Temporary Extension of its Liquor Licence in conjunction with the following Festivals being held in Hess Village:

      (i) Molson Rocks the Village - 1998 June 16 - 22

      (ii) Hess Village Performing Arts Festival - July 8 - 20

      (iii) Hess Village Beach Volleyball Festival - July 1 - 5

(b) That the Alcohol and Gaming Commission of Ontario (A.G.C.O.) be further advised that the City has no objection to the issuance of Temporary Extensions of Liquor Licences for the above noted events, on the following conditions:

(i) That the requirements of the Hamilton-Wentworth Regional Police are satisfied; and,

(ii) That the City's Noise Control By-law requirements are followed.

3. That the Council of the Regional Municipality of Hamilton-Wentworth be requested to assume the operating costs for the following activities currently funded by the City of Hamilton:

HECFI	$3,442,140
Library - Special Collections	300,000
Museums:	
a) Operations	1,451,920
b) Workers Arts & Heritage	225,000
Sewer Maintenance Program	164,250
School Crossing Guards	1,257,440
Downtown Parking	565,670
Traffic Islands on Regional Roads	225,000
Ivor Wynne - Net	793,050
Ski hill - Net	268,920
	$8,693,390

4. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-012 By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1998 June 16

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